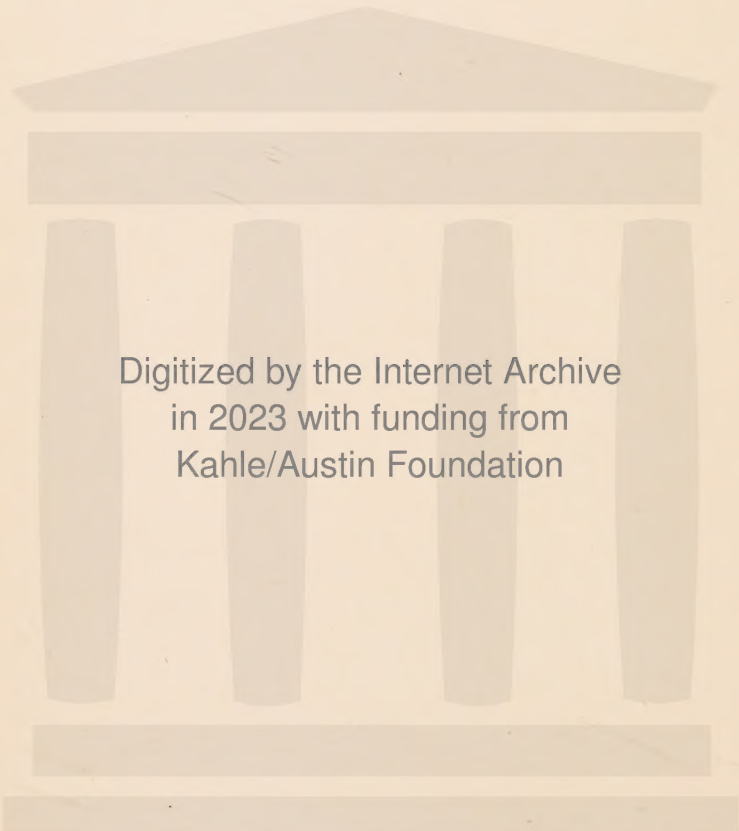
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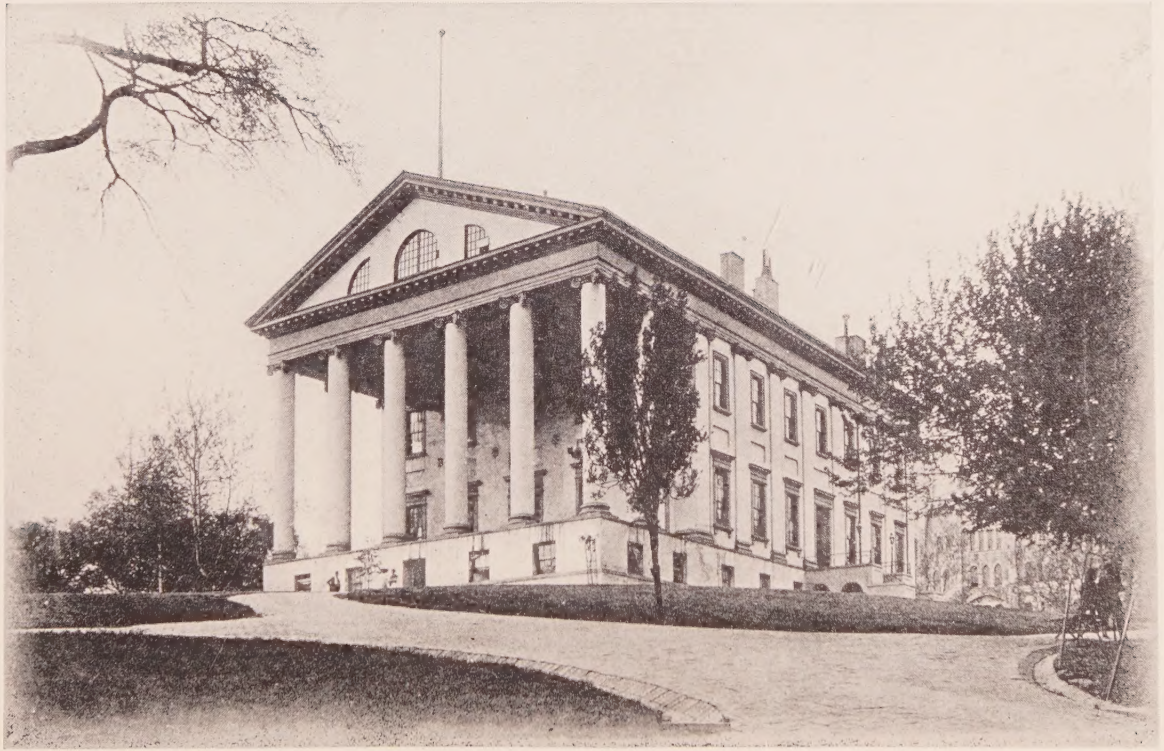
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CAPITOL OF THE CONFEDERATE STATES AT RICHMOND

JEFFERSON DAVIS

CONSTITUTIONALIST

HIS LETTERS, PAPERS AND SPEECHES

COLLECTED AND EDITED BY

DUNBAR ROWLAND, LL.D.

DIRECTOR OF THE DEPARTMENT OF ARCHIVES AND HISTORY
OF THE STATE OF MISSISSIPPI, SECRETARY
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JEFFERSON DAVIS, CONSTITUTIONALIST
HIS LETTERS, PAPERS AND SPEECHES

Extracts from a Narrative, written not for Publication but for the entertainment of my Children only.

By Burton N. Harrison.

(From Confederate Memorial Hall.)

When within some miles of Charlotte, I sent forward a Courier with a letter to Major Echols the Quartermaster of that port. My letter asked him to notify Mrs. Davis of our approach and to provide quarters for as many of us as possible. The Major rode out to the outskirts of the town and there met us, with the information that Mrs. Davis and her family had hastily proceeded towards South Carolina, several days before. He did not know where she was to be found, but said she had fled when the Railway South of Greensboro had been cut by the enemy's Cavalry. The Major then took me aside and explained that, though quarters could be furnished for the rest of us, he had as yet been able to find only one person willing to receive the President, saying the people generally were afraid that whoever entertained him would have his house burned by the enemy, that indeed it was understood threats to that effect has been everywhere made by Stoneman's Cavalry.

There seemed to be nothing to do but to go to the one house offered. It was on the main Street of the town and was occupied by Mr. Bates a man said to be of Northern birth, a bachelor of convivial habits, and the local agent of the Southern Express Company, not at all the place for the President to be.

Just as we had entered the house, the President received from General Breckinridge the intelligence that President Lincoln had been assassinated; and, when he communicated it to us, everybody's remark was that, in Lincoln, the Southern States had lost their only refuge, under the circumstances of the present situation. There was no expression other than of regret and grief. As yet, we knew none of the particulars of the crime.

Presently, the Street was filled by a Column of Cavalry (the Command I think of General Basil Duke of Kentucky) just entering the town. As they rode past the house the men waved their flags and hurrahed for "Jefferson Davis"; many of them halted before the door, and, in dust and uproar, called loudly for a speech from him. I stood in the crowd gathered thick about the steps and not more than ten feet from the door. The President stood at the threshold and made the men a very brief reply to their calls for a speech. I distinctly heard every word he said. He merely thanked the Soldiers for their cordial greetings, paid a high compliment to the gallantry and efficiency of the Cavalry from the State where the Regiments before him had been recruited; expressed his own determination not to despair of the Confederacy but to remain with the last organized band upholding the flag, and then excused himself from further remarks, pleading fatigue in travel. He said nothing more. Somebody else standing on the steps read aloud (I think) the dispatch from General Breckinridge about the Assassination of President Lincoln, but no reference was made to it in President Davis' speech. There was no other speech and the crowd dispersed.

In pursuance of the infamous scheme of Stanton and Holt to fasten upon Mr. Davis charges of a guilty knowledge of, if not participation in, the Murder of Mr. Lincoln, Mr. Bates was afterwards carried to Washington and made to testify (before the military tribunal, I believe, where the murderers were on trial) to something about that speech. The reports of the testimony, published at the time, made the witness say Mr. Davis had approved of the Assassination, either explicitly or by necessary implication; and that he had added "if it was to be done, it is well it was well done" or something to that effect. If any such testimony was given, it was false and without foundation; no comment upon or reference to the assassination was made by Mr. Davis, in that speech; I have been told the witness has always stoutly insisted he never gave any such testimony, but that what he said was altogether perverted in the publication made by rascals in Washington.

Col. Johnston informs me he has seen another version of the Story and thinks Bates is understood to have fathered it in a publication made in some Newspaper; it represents Bates as saying that the words above mentioned as imputed to Mr. Davis were used by him, not indeed in the speech I have described, but in a conversation with Johnston at Bates' house. Johnston assures me that the Story in that shape, too, is false, that the President never used such words in his presence, or

any words at all like them, with reference to the assassination. He adds that Mr. Davis remarked to him at Bates' house, that Mr. Lincoln would have been much more to the Southern States than Andrew Johnson, the Successor, was likely to be.

Colonel John Taylor Wood, Colonel William Preston Johnston and Colonel Frank R. Lubbock, Staff Officers remained in the same house with the President. There was no room for more. I was carried off by my Hebrew friend, Weil, and most kindly entertained, with Mr. Benjamin and St. Martin.

On Sunday (the next day, I think,) a number of us attended service at the Episcopal Church, and heard the Rector preach vigorously about the sad condition of the Country and in reprobation of the folly and wickedness of the assassination of Mr. Lincoln. As the President walked away after the sermon, with (Col. Johnston, I think it was, and) me he said, with a laugh "I think the preacher directed his remarks at me; and I believe he fancies I had something to do with the assassination." The suggestion was preposterous!

His cheerfulness continued in Charlotte, and I remember his there saying to me: "I cannot feel like a beaten man"!

The halt at Charlotte was to await information from the Army of General Johnston.

After a few days, the President became anxious about his wife and family. He had, as yet, heard nothing of their whereabouts, but directed me to proceed into South Carolina in search of them, suggesting I should probably find them at Abbeville. He told me I must rely on my own Judgment as to what course to pursue from there; that, for himself, he should make his way as rapidly as possible to the Trans-Mississippi Department, to join the Army under Kirby Smith.

I started at once, taking my horse on the Railway train to Chester. On the train chanced to be Captain Lingan, an Officer from New Orleans recently serving at Richmond as an Assistant to the Commissioner for the Exchange of prisoners. He had his horse with him; and, from Chester, we rode together across the Country to Newberry, there to take the train again for Abbeville. In Chester, the night was spent in the Car that brought us there. On the march to Newberry we bivouacked The weather was fine and the houses surrounded by jassamines and other flowers. The people were very hospitable, and we fain to rely on them. Nothing could be bought because we had no money. Our Confederate Currency was of no value now; and there was no other. Riding through a Street of Newberry,

in search of the Quartermasters Stable Lingan and I were saluted by a Lady enquiring eagerly whence we had come, what the news was, and whether we knew anything of Mr. Trenholm; —adding she had heard he was ill. The town was lovely, and this was the most attractive house we had seen there. It had a broad piazza, with posts beautifully overgrown by vines and rose-bushes; and the grounds around were full of flowers. I replied I had just left Mr. Trenholm in Charlotte; that he had somewhat recovered; and that if she would allow us to do so, we should be happy to return and tell her the latest news. As we rode off, Lingan laughingly said: "well, that secures us a hospitable entertainment." And, sure enough, when we went back and introduced ourselves, we were cordially received by the Mistress of the house, who invited us to dine. The lady we had seen on the piazza was only a Visitor there for the moment. It was the residence of Mr. Boyd, the President of a Bank, and when that Gentleman presently came in, he courteously insisted upon our making his house our home. There was an excellent dinner; and I was given what seemed to me the most delightful bed ever slept in. After a delicious breakfast next morning, Mrs. Boyd despatched us to the train with a haversack full of bounties for the rest of the journey.

At Abbeville, Mrs. Davis and her family were the guests of Col. Burt, and there, too, were the daughters of Mr. Trenholm at the house of their brother. Abbeville was a beautiful place, on high ground; and the people lived in great comfort, their houses embowered in vines and roses, with many flowers everywhere. We had now entered the "Sunny South."

Mrs. Davis insisted upon starting, without delay for the Sea Coast, to get out of the reach of capture. She and her Sister had heard dreadful stories of the treatment ladies had been subjected to in Georgia and the Carolinas by men in Sherman's Army; and thought with terror of the possibility of falling into the hands of the enemy. I explained to her the difficulties and hardships of the journey to the Sea coast; and suggested we might be captured on the road. Urging her to remain where she was, until the place should be quietly occupied by the enemy, —assuring her that some Officer would take care that no harm should befall her, and adding that she would then be able to rejoin her friends. Colonel and Mrs. Burt added their entreaties to mine, but she persisted in her purpose, and begged me to be off immediately.

It was finally decided to make our way to the neighborhood of

Madison, Florida, as fast as possible, there to determine how best to get to sea.

We had no Conveyance for the ladies, however, and were at a loss to get one, until somebody told me Genl. John S. Williams, of Kentucky, was but a few miles from the town recruiting his health, and that he had a large and strong vehicle well adapted to the purpose. I rode out in the direction indicated, and discovered that Officer at the house of a man called queerly enough, "Jeff. Davis." General Williams evidently perceived the danger that, if he allowed his wagon and horses (a fortune, in those times!) to go beyond his own reach, he would never see them again, such was the disorder throughout the Country. But he gallantly devoted them to Mrs. Davis, putting his property at her service as far as Washington, Georgia, and designating the man to bring the wagon and horses back from there, if possible, to him at Abbeville. Whether he ever recovered them, I have not learned, but they started back promptly after we had reached Washington.

Among the "refugees" in Abbeville was the family of Judge Monroe, of Kentucky. At their house were Lieutenant Hathaway, Mr. Monroe and a young friend of theirs, whose name I do not now recall. Kentuckians all, and then absent from their command in the Cavalry, on sick leave, I think. These three young Gentlemen were well mounted, and gallantly volunteered to serve as an escort for Mrs. Davis.

We started the morning of the second day after I arrived at Abbeville, and had not reached the Savannah River when it was reported that Small pox prevailed in the Country. All the party had been vaccinated except Varina, the President's youngest daughter, still a baby. Halting at a house near the road, Mrs. Davis heroically had the operation performed by the planter, who got a fresh scab from the arm of a little negro called up for the purpose.

At Washington, we halted for two nights and the intervening day. Mrs. Davis and her family were comfortably lodged in the town. I was the guest of Dr. Robertson, the Cashier of a Bank and living under the same roof with the Offices of that Institution. There, too, was my friend Major Thomas W. Hall, a member of the Baltimore Bar, talking rather despondingly of the future, and saying he did not know what he should now do. After we had discussed the situation, however, he brightened up with the remark that he thought he should write a book about the war. I comforted him with the observation that that

would be just the thing; and that, as we ought all to have an occupation, if he should write a book, I would read it!

Near the town was a Quartermasters camp where I selected three or four Army Wagons, each with a team of four good Mules, and the best harness to be got. A driver for each team, and several supernumeraries friends of theirs, were recruited there with the promise, on my part, the Wagons and Mules should be divided between them when at our journey's end. These men were all, I believe, from Southern Mississippi, and, by volunteering with us, were not going far out of their own way home.

It was nightfall when these arrangements were completed; and I immediately moved my teams and wagons to a separate bivouack, in the woods, apart—a wise precaution, for during the night, some Texans, and others from the far Southwest, "raided" the Quartermasters Camp and carried off all the best mules. Senator Wigfall, of Texas, had allowed to remain in the Camp some Mules he intended for his own use; the next day they were all missing. A Story told afterwards well illustrates Wigfall's audacity and wit. It seems that he made his way to Vicksburg, and there, mingling with a large number of paroled Soldiers on their way to the Trans-Mississippi; and having in his pocket a borrowed "parole paper" certifying the bearer to be "private Smith", availed himself of the transportation furnished to parole prisoners, by Steamboat, I think, to Shreveport. On the Voyage, he had a discussion with some of the guard as to what should be done by the Government with the leaders in the Secession of the Southern States. "And as to Wigfall," said one of the men, in excitement, "if we catch *him*, we shall hang him immediately." "*There* I agree with you" remarked private Smith, " 'twould serve *him* right; and, if I were there, I should be pulling at the end of that rope myself!"

Into the Wagons, next morning, we put Mrs. Davis luggage, a few muskets with ammunition, two light tents (for the ladies and Children) and utensils for cooking, with supplies for ourselves and feed for the animals, supposed to be sufficient to take us to Madison. As most of the Country we were to pass through, had been recently devastated by Sherman's Army, or was pine woods, sparsely inhabited, these things were necessary.

We had expected to leave Washington, with only the party we arrived with, consisting of Mrs. Davis, Miss Howell, the four children, Ellen, James Jones (with the two Carriage horses) the three Kentuckians, and myself, adding only the teamsters. But, at Washington, we were very acceptably re-enforced by

Captn. Moody, of Port Gibson, Mississippi, and Major Victor Maurin (or Morin), of Louisiana. Both had served with the Artillery in Virginia, had been home on furlough, and had reached Augusta, Georgia, on their return to duty; hearing there of the Surrender of the Army, they set out for home together, and met us at Washington, where Captain Moody kindly placed his light covered Wagon at the service of Mrs. Davis; and he and Major Maurin joined our party as an additional escort for her; Captain Moody had with him, I think, a negro servant.

In Washington, at that time, were Judge Crump, of Richmond, (Assistant Secretary of the Treasury,) and several of his Clerks. They had been sent by Mr. Trenholm in advance, with some of the (not a very large amount of) Gold brought out of Richmond. The specie was in the Vaults of the Bank at Washington, and I did not hear of it until late at night. We were to start in the morning; and as nobody in our party had a penny of the money needed to prosecute the intended exit from the Country, I determined to get some of that Gold.

One of the Treasury Clerks went with me to the house where Judge Crump was; we got him out of bed, and after long argument and much entreaty, the Assistant Secretary gave me an order for a few hundred dollars in Gold for Mrs. Davis and One hundred and ten dollars for myself. The amounts were to be charged to the President and me, as upon account of our Official Salaries. Armed with the Order, my friend, the Clerk, got the money for us that night.

The last two people I talked to in Washington were General Robert Toombs who resided there, and General Humphrey Marshall, of Kentucky.

The latter was enormously fat. He had been in public life for many years, was one of the notables of his State. As I waited whilst my horse was shod, he sat down beside me in a doorway, on the "Square" of Washington, and, though I was but a slender youth, almost squeezed the breath out of my body in doing so. He discussed the situation and ended with: "Well, Harrison, in all my days I never knew a Government to go to pieces in *this* way," emphasizing the words as though his pathway through life had been strewn with the wrecks of Empires, comminuted indeed, but nothing like this! The next time I saw him, we were in New Orleans, in March 1866. He told me of his adventures in escaping from Georgia across the Mississippi River. The waters were in overflow, and made the distance to be rowed where he crossed a number of miles. He said

he was in a "dug out" (a boat made of a single large log, with a cylindrical bottom and easily upset,) and that the boatman made him lie down for fear they might be seen by the enemy and recognized by his great size, and so captured. All went well, until the Mosquitoes swarmed on him, and nearly devoured him—in his fear of capsizing, if he ventured to adopt effective measures to beat them off! In this connection, I remember that, when Marshall commanded a Brigade in the Mountains between Tennessee and Kentucky, he was warned the Mountaineers, Union Men, all knew him because of his size, and that some Sharpshooter would be sure to single him out and pick him off. He replied: "Ah! but I have taken precautions against that, I have a fat Staff! There be seven Richmonds in the field!"

As I rode out of Washington, to overtake my Wagons, then already started, I saw General Toombs, and sung out "Good bye" to him. He was dressed in an illcut black Websterian Coat, the worse for wear, and had on a broad brimmed shabby hat. Standing beside an old buggy, drawn by two ancient greyhorses, he told me he was going to Crawfordsville to have a talk with "Aleck Stephens" (the Vice President), and, as I left, the atmosphere was murky with blasphemies, and denunciations of the Yankees! He had been notified of a detachment of the enemy's Cavalry said to be already on the way to capture him—and was about to start for the Sea-coast.

The next time I saw him he was at the "Theatre du Chatelet" in Paris, in August or September 1866. The Spectacle was one of the most splendid ever put upon the Stage, and the French people were in raptures at the dazzling beauty of the scene. Toombs, fashionably dressed, sat in an Orchestra Chair, regarding it all with the stolid composure of an Indian; and with an expression of countenance suggesting he had seen spectacles more brilliant than that, in Washington, Georgia, a thousand times!

From Washington, we went along the roads running due South. We had told nobody our plans; though, starting as we did in the broad light of the forenoon, everybody saw, of course, the direction taken. Our teamsters were instructed not to say anything to anybody whatever, as to who we were or whence we came or whither we were going. They were all old Soldiers and obeyed orders. It frequently amused me to hear their replies to the Country people, during the next few days, when questioned on these matters: "Who is that lady?" "Mrs. Jones."

"Where did you come from?" "Up the road." "Where are you going to?" "Down the road a bit." &c, &c.

We had not proceeded far, when a Gentleman of the town, riding rapidly, overtook us with a letter from the President to his wife. It had been written at Yorkville, South Carolina, I think,—was forwarded by Courier to overtake us at Abbeville, and had reached Washington just after we started. It merely informed us he and his immediate party were well and that he should probably ride South from Washington to the Coast. I think no reply was made by Mrs. Davis to the letter; and, if my memory serves me, we left behind us nothing to advise the President as to where we were going.

That afternoon, I was overcome with a dreadful dysentery and low fever; and dropped behind the train for a time to lie down. When I overtook the party, they had already gone into Camp; and, after giving my horse to one of the men, I had hardly strength enough to climb into a Wagon, there to pass the night.

The next day we made a long march; and had halted for the night in a pine grove, just after crossing a Railway track, when several Visitors sauntered into our Camp. Presently, one of the teamsters informed me that, while watering his Mules near by, he had been told an attempt would be made during the night to carry off our mules and Wagons; and that the Visitors were of the party to make the attack.

A Council of war was held immediately; and we were discussing measures of resistance, when Captain Moody went off for a personal parley with the enemy. He returned to me with the news that the leader of the party was a fellow Freemason, a Mississippian, and apparently not a bad sort of person. We all agreed he had better be informed who we were, relying upon him not to allow an attack upon us after learning that Mrs. Davis and her Children were of the party. Captn. Moody made that communication in the confidence of Freemasonry, and the gallant Robin Hood immediately approached Mrs. Davis in all courtesy, apologized for having caused her any alarm, assured her we should not be disturbed, and said the raid had been arranged only because it had been supposed we were the party of some Quartermasters from Milledgeville, making off with Wagons and Mules to which he and his men considered their own title as good as that of anybody else.

He then left our Camp, remarking however, that, to intercept any attempt at escape during the night, he had already despatched some of his men to the cross-roads, some distance below,

and that we might be halted by them there in the morning; but to provide for that emergency, he wrote and delivered to Captain Moody a formal "Order" entitling us to "pass" his outposts at the Cross-roads!

The next morning, when we reached the cross-roads, some men were there, evidently intending to intercept us; but, as all the Gentlemen of our party were in the Saddle, and we appeared to be ready for them, there was no challenge and we got by without recourse to Robin Hood's "pass."

About the second or third day after that, we were pursued by another party; and one of our teamsters, riding a short distance in the rear of the Wagons, on the horse of one of the Kentuckians, the owner having exchanged temporarily for one of the carriage horses, I think, was attacked, made to dismount, and robbed of his horse, with the information that all the other horses and the Mules would be taken during the night. By running a mile or two, the teamster overtook us. It was decided, of course, to prepare for an effective defense. As night came on, we turned off into a side road; and, reaching a piece of high ground, in the open pine wood, well adapted for our needs, halted—corralling the animals within a space enclosed by the Wagons (arranged with the tongue of one wagon fastened by chains or ropes to the tail of another) and placing pickets in each direction. About the middle of the night I, with two teamsters, constituted the picket on our north side. After awhile, we heard the soft tread of horses in the darkness approaching over the light sandy soil of the road. The teamsters immediately ran off to arouse the Camp, having no doubt the attack was about to begin. I placed myself in the road, to detain the enemy as long as possible and, when the advancing horsemen came near enough to hear me, called "halt." They drew rein instantly. I demanded "who comes there?" The foremost of the horsemen replied "Friends," in a voice I was astonished to recognize as that of the President, not suspecting he was anywhere near us.

His party then consisted of Col. Wm. Preston Johnston, Col. Jno. Taylor Wood and Col. Frank R. Lubbock, Hon. Jno. H. Reagan, Col. Charles E. Thorburn (the latter with a negro servant had joined them at Greensboro, North Carolina,) and Robert, Mr. Davis' own servant. Some Scoutts were scattered thro' the Country, and reporting to the President, from time to time; but I don't recollect that any of those Scouts were with him on the occasion now referred to.

He had happened to join us at all only because Colonel John-

ston had heard in the afternoon, from a man on the roadside, an attempt was to be made in the night to capture the wagons, horses and Mules of a party the fellow said had passed along there that day. The man spoke of the party to be attacked in terms that seemed to identify us as we had been described in Washington; and the President immediately resolved to find us, riding until after midnight before he overtook us, explaining, at the time, how he had tried several roads that night in the search; and saying he came to assist in beating off the persons threatening the attack. As we had Camped some distance from the main road, he would have passed our position, and would probably have had no communication with us and no tidings whatever of us, but for the chance remark of the Straggler on the wayside about the projected raid upon our animals! The attack was not made.

The President remained with us the rest of that night, rode with us the next day, camped with us the following night; and, after breakfast the day after that, he bade us good-bye and rode forward with his own party, leaving us, in deference to our earnest solicitations, to pursue our journey as best we might with our wagons and encumbrances.

He camped that night with his own party, at Abbeville, Georgia, personally occupying a deserted house in the outskirts of the village. As they had reached that place after dark, and a furious rain was falling, but few of the people were aware of his presence and none of those in the Village had had an opportunity to identify him. It is said the Ferryman did.

I halted my party on the Western Bank of the Ocmulgee River as the darkness came on—immediately after getting the Wagons thro' the difficult bottom lands on the Eastern side, and after crossing the Ferry. About the middle of the night, I was aroused by a Courier sent back by the President with the report that the enemy was at Hawkinsville, (about 25 miles to the North of us,) and the advice that I had better move on immediately to the Southward, though it was added the enemy at Hawkinsville seemed to be only intent upon appropriating the Quartermasters supplies supposed to be there. I started my party at once, in the midst of a terrible storm of thunder, lightning, and rain. As we went thro' the Village of Abbeville, I dismounted and had a conversation with the President in the old house where he was lying on the floor wrapped in a blanket. He urged me to move on, and said he should overtake us during the night, after his horses had had more rest. We kept to the Southward all night, the rain pouring in torrents most of the

time, and the darkness such that, as we went thro' the pine woods, where the road was not well marked, and wound about to accommodate the great trees left standing—the Wagons were frequently stopped by fallen trees and other obstructions and were then obliged to wait until a flash of lightning enabled the drivers to see the way. In the midst of that storm and darkness, the President overtook us. He continued with us until about 5 o'Clock in the afternoon, when (not having stopped since leaving Abbeville, except for the short time, about sunrise, required to cook breakfast) I halted my party for the night, immediately after crossing the little creek just north of Irwinville. My teams were sadly in need of rest; and, having now fully fifty miles between us and Hawkinsville where the enemy had been reported to be, and our information being that, as I have stated, the party there did not seem to be on the march, or likely to move after us, we apprehended no immediate danger. That Country is sparsely inhabited, and I do not recollect that we had seen a human being after leaving Abbeville. Col. Johnston says that he rode on in advance as far as Irwinsville and there found somebody from whom he bought some eggs.

Col. Thorburn had been in the Old Navy, and a Class-mate of Col. Wood at the Naval Academy, at Annapolis. During the first year or two of the war, he had served in the Army; but afterwards became interested in running the blockade, bringing supplies into the Confederate States. He had a small but seaworthy Vessel, then lying in Indian River, Florida; and his object in joining the party had been to take the President aboard that Vessel and to convey him around to Texas. It was arranged that Col. Thorburn should at the proper time ride on in advance, make all the necessary arrangements for the Voyage, and return to Madison, Florida, to meet the President there and conduct him aboard the Vessel.

We had all agreed that, if the President was to attempt to reach the Coast at all, he should move on independently of the ladies and wagons. And, when we halted, he positively promised me (and Wood and Thorburn tell me he made the same promise to them) that, as soon as something to eat could be cooked, he would say farewell for the last time and ride on, with his own part(y), at least ten miles further, before stopping for the night—consenting to leave me and my party to go our own way as fast as was possible with the now weary Mules.

After getting that promise from the President, and arranging the tents and wagons for the night; and without waiting for anything to eat, (being still the worse for my dysentery and

fever,) I laid down upon the ground and fell into a profound sleep. Captain Moody afterwards kindly stretched a Canvas as a roof over my head, and laid down beside me, though I knew nothing of that until the next day,—I was awakened by the Coachman, James Jones, running to me about day-break, with the announcement the enemy was at hand! I sprang to my feet, and in an instant a rattling fire of Musketry commenced on the North side of the creek. Almost at the same moment, Col. Pritchard and his regiment charged up the road from the South upon us. As soon as one of them came within range, I covered him with my revolver and was about to fire but lowered the weapon when I perceived the attacking column was so strong as to make resistance useless, and reflected that, by killing the man, I should certainly not be helping ourselves and might only provoke a general firing upon the members of our party in sight. We were taken by surprise and not one of us exchanged a shot with the enemy. Col Johnston tells me he was the first prisoner taken. In a moment Col. Pritchard rode directly to me and, pointing across the Creek, said "What does that mean? Have you any men with you?" Supposing the firing was done by our teamsters, I replied: "Of course we have —don't you hear the firing?" He seemed to be nettled at the reply, gave the order—"Charge," and gallantly led the way himself across the creek, nearly every man in his command following. Our Camp was thus left deserted for a few minutes, except by one mounted guard at Mrs. Davis' tent, (stationed there by Col. Pritchard in passing) and by a few fellows who stopped to plunder our wagons. I had been sleeping on the same side of the road with, and was then standing very near, the tent occupied by Mrs. Davis. Looking there, I saw her come out and heard her say something to the guard; perceiving she wanted him to move off, I approached and actually persuaded the fellow to ride away. As the guard moved into the road and I walked beside his horse, the President emerged for the first time from the tent, at the side further from us, and walked away into the woods to the Eastward and at right angles to the road.

Presently looking around and observing somebody had come out of the tent, the guard turned his horse's head—and, reaching the spot he had first occupied, was again approached by Mrs. Davis who engaged him in conversation. In a minute, the guard was joined by one or perhaps two of his comrades who had either lagged behind the Column and were just coming up the road, or had just crossed over from the other (the west) side, where a few of them had fallen to plundering, as I have

stated, instead of charging over the creek. They remained on horseback and soon became violent in their language with Mrs. Davis; the order to "halt" was called out by one of them to the President, was not obeyed, and was quickly repeated in a loud voice several times; at least one of the men then threatened to fire, and pointed a Carbine towards the President to do so. At that, Mrs. Davis, overcome with terror, cried out in apprehension, and the President (who had now walked about sixty paces away into the unobstructed woods) turned round and came back rapidly to his wife at the tent. At least one of the Soldiers continued his violent language to Mrs. Davis and the President reproached him for such conduct to her—when one of them, seeing the face of the President, as he stood near and talking, said "Mr. Davis, Surrender! I recognize you, Sir." Pictures of the President were so common that nearly or quite every man in both Armies knew his face.

It was, as yet, scarcely daylight.

The President had on a Waterproof-Cloak. He had used it, when riding, as a protection against the rain during the night and morning preceding that last halt; and he had probably been sleeping in that Cloak, at the moment when the Camp was attacked.

Whilst all these things were going on, Miss Howell and the Children remained within the other tent. The Gentlemen of our party, had with the single exception of Captain Moody, all slept on the west side of the road and among or near the Wagons. They were, so far as I know, paying no attention to what was going on at the tents. I have since talked with Johnston, Wood and Lubbock and with others about these matters; and I have not found there was any one—except Mrs. Davis, the single mounted guard stationed at her tent, and myself—who saw all that occurred and heard all that was said at the time. Any one else who gives an account of it has to rely upon hearsay for a part, if not all, of his story.

In a short time after the Soldier had recognized the President, Col. Pritchard and his men returned from across the creek—the battle there having been ended by the capture by one party of a man belonging to the other, and by the recognition which followed.

They told us the Column, consisting of a detachment of Wisconsin Cavalry and another of Michigan Cavalry, had been despatched from Macon in pursuit of us, under the command of Col. Harnden, of Wisconsin; that, when they reached Abbeville, they heard a party of mounted men, with wagons had

crossed the River near there, the night before; that they immediately suspected the identity of the party, and decided to follow it; but that, to make sure of catching us if we had not already crossed the River, Lieut. Col. Pritchard had been posted at the Ferry with orders to remain there and capture anybody attempting to pass; that Col. Harnden, with his Wisconsin men, marched down the direct road we had ourselves taken, and, coming upon us in the night, had halted on the North side of the Creek to wait for daylight before making the attack, lest some might escape in the darkness; that Lieut. Col. Pritchard had satisfied himself, by further conversation with the Ferryman, it was indeed Mr. Davis who had crossed there—and, deciding to be in, if possible, at the Capture, had marched as rapidly as he could along a road nearer the River, to the East of, and for most of the distance, nearly parallel with, the route taken by Col. Harnden; that he reached the cross-roads (Irwinville) in the night, ascertained nobody had passed there for several days, turned North and found us only a mile and a half up the road; that, to intercept any attempt at escape, he had dismounted some of his men, and sent them to cross the creek to the Westward of us and to post themselves in the Road North of our Camp; that, as these dismounted men crossed the creek and approached the road, they came upon the Wisconsin troopers, and, not being able in the insufficient light, to distinguish their uniforms, and supposing them to be our escort, opened a brisk fire which was immediately returned, and that, on that signal, Col. Pritchard and his Column charged up the road, into our Camp and thence into the thick of the fight. They said that, in the rencontre, a man and, I think, a horse or two were killed, and that an Officer and, perhaps one or two men were wounded.

During the confusion of the next few minutes, Col. Jno. Taylor Wood escaped—first inducing the Soldier who halted him to go aside into the bushes on the bank of the Creek, and there bribing the fellow with some Gold to let him get away altogether. As Wood was an Officer of the Navy as well as an Officer of the Army, had commanded Cruisers along the Atlantic Coast, had captured and sunk a number of New York and New England Vessels, and was generally spoken of in the Northern Newspapers as a "Pirate," he not unnaturally apprehended that, if he remained in the enemy's hands, he would be treated with special severity.

He made his way to Florida and there met General Breckinridge with whom (and perhaps one or two others) he sailed

down the East Coast of the State in a small open boat, and escaped to Cuba. When in London, in September 1866, I dined with Breckinridge—and had from him the story of their adventures. He said they kept close along shore, and subsisted on turtles eggs, and such things, found in the sand. When nearing the Southerly end of the Coast, they one day perceived a boat coming to meet them and were at first afraid of capture; but, presently observing the other boat changing its course as to avoid them, they shrewdly suspected it to contain deserters from the Dry Tortugas, or some such fellows, who were probably themselves apprehensive of trouble, if caught. Wood therefore gave chase immediately; and, having the swifter boat, soon overhauled the other chap. The unsatisfactory account the people aboard gave of themselves confirmed the suspicion they were deserters. The new boat was a better sea craft than the one our Voyagers had—though not so fast a sailor. They were afraid theirs would not take them across the Gulf to Cuba; so they determined to appropriate the other. Turning pirates for the occasion they showed their side arms, put on a bold air and threatened the rascals with all sorts of dreadful things, but finally relented so far as to offer to let them off with an exchange of boats! The deserters were delighted with this clemency, and gladly went through what Mr. Lincoln called the dangerous process of "swapping horses whilst crossing the stream." Each party went on its way rejoicing, and our friends finally, as I have said reached the Coast of Cuba though almost famished. Indeed Breckinridge thought they were kept alive at all only by a loaf or two of bread kindly given them by a Yankee Skipper as they sailed under his stern, at daybreak of the last day of their voyage.

All of the other members of the President's party, except Col. Thorburn, and all those of my own party remained as prisoners —unless indeed one or two of the teamsters escaped, as to which I do not recollect.

I had been astonished to discover the President still in Camp when the attack was made. What I learned afterwards explained the mystery. Wood and Thorburn tell me that, after the President had eaten supper with his wife, he told them he should ride on when Mrs. Davis was ready to go to sleep; but, that when bed time came, he finally said he would ride on in the morning—and so went to sleep in the tent. He seemed to be entirely unable to apprehend the danger of capture. Everybody was disturbed at this change of his plan to ride ten miles further—but he could not be got to move.

Col. Thorburn decided to start during the night to accomplish as soon as possible his share of the arrangement for the escape of the party from the sea coast; and with his negro boy, he set out alone before daybreak. He tells me that, at Irwinville, they ran into the enemy in the darkness, and were fired upon. The negro levelled himself on his horse's back, and galloped away like a good fellow, into the woods to the East, and Thorburn is cool and an excellent shot. He says he turned in the saddle for a moment, shot the foremost of the pursuers, saw him tumble from his horse, and then kept on after the negro. They were chased into the woods; but their horses were fresher than those of the enemy, and easily distanced pursuit. Thorburn said he went on to Florida, found his friend, Captain Coxsetter, at Lake City; ascertained the Vessel was, as expected, in the Indian River and in good condition for the Voyage to Texas; arranged with the Captain to get her ready for sailing; and then returned to Madison for the rendezvous. There, he said he learned of the President's Capture—and having no further use for the Vessel, sent back orders to destroy her.

The business of plundering us commenced immediately after the capture; and we were soon left with only what we had on, and what we had in our pockets. Several of us rejoiced in some Gold; mine was only the $110.00 I have mentioned; but Col. Lubbock and Col Johnston had about $1500.00 each, and Lubbock held on to nearly or quite all of his. But Johnston had found the coins an uncomfortable burden when carried otherwise, and had been riding with them in his holsters. There his precious gold was found; and thence it was eagerly taken by one or more of our captors. His Horse and his Saddle, with the trappings and pistols, were those his father, Genl. Albert Sidney Johnston, had used at the Battle of Shiloh, and were greatly prized. They and all our horses were promptly appropriated by the Officers of Col. Pritchard's Command, the Colonel himself claiming and taking the lion's share, including the two Carriage horses which, as he was told, were the property of Mrs. Davis—having been (as I have said) bought and presented to her by several Gentlemen in Richmond. Col. Pritchard also asserted a claim to the horse I had myself ridden. He had stood the march admirably and was fresher and in better condition than any of the rest of the animals. The Colonel's claim to him, however, was disputed by the Adjutant, who insisted on the first right, and there was a quarrel between those Officers on the spot.

Whilst it was going on I emptied the contents of my haversack

into a fire where some of the enemy were cooking breakfast, and there saw them all burn. They were chiefly old love letters with a photograph of my Sweetheart—though, with them, chanced to be a few telegrams and perhaps some leters relating to public affairs, of no special interest.

After we had had breakfast, it was arranged each of the Prisoners should ride his own horse to Macon, the Captors kindly consenting to waive right of possession meantime; and that arrangement was carried out.

The march to Macon took four days. As we rode up to the Headquarters of Genl. Wilson there, an Orderly, acting as he said under directions of the Adjutant) seized my rein before I had dismounted, and led off my horse the moment I was out of the Saddle. When, that afternoon, we were sent to the Station to take the Railway train arranged to convey the Prisoners to Augusta, the horses of all or most of the Officers of our party were standing in front of the Hotel, and the several ex-owners rode them to the Station. My horse was not there; and I had to go to the Station afoot.

Several years afterwards, on the Grand Stand at the Jerome Park Race Course, New York, I met Colonel ——— from whom in Danville, Virginia, I had got that horse under the circumstances narrated above. He told me he was in that part of Georgia shortly after our Capture; and said the quarrel between Colonel Pritchard and his Adjutant as to who should have my horse waxed so hot at Macon that the Adjutant, fearing he would not be able to keep the horse himself, and determined Colonel Pritchard should not have him, ended the dispute by drawing his revolver and shooting the gallant steed dead!

Had Mr. Davis continued his journey, without reference to us, after crossing the Ocmulgee River; or had he ridden on, after getting supper with our party the night we halted for the last time; had he ridden but five miles beyond Irwinville, passing through that Village at night and so avoiding observation, there is every reason to suppose that he and his immediate party would have escaped thro' Florida or elsewhere to the Sea-coast, as Mr. Benjamin escaped, as Genl. Breckinridge escaped, and as others did. It was the apprehension he felt for the safety of his wife and Children which brought about his capture. And, looking back now, it must be thought by everyhody to have been best that he did not then escape from the Country.

To have been a prisoner in the hands of the Government of the U. S. and not to have been brought to trial upon any of the charges against him, is an answer sufficient as refutation of

many, if not all, of them. It indicates that the accusations could not have been sustained.

Statement of Burton N. Harrison.

(Burton N. Harrison Collection, Library of Congress.)

[A pencil memorandum, apparently in Col. Harrison's hand.]

We marched in a column of twos, and Major Maurin and I rode together: he was very taciturn: but when, on the second or third day, we came upon a cavalry camp where a brass band, in a large wagon drawn by handsome horses, was stationed by the roadside and suddenly struck up "Yankee Doodle" as the ambulance carrying Mr Davis came abreast of them, the silent old creole was moved to speech. The clatter of the cymbals and the noise of the drums set our horses to prancing; when Major Maurin had composed his steed, he turned to me with a broad smile and revenged himself with: "I remember the last time "I heard *that* tune; it was at the battle of Fredericksburg, "where a brass band came across the pontoon bridge with the "Column, and then occupied a house where they struck up "'Yankee Doodle.' I myself sighted a field gun at the house, "missed it with the first shot, but next time hit it straight. In "all your life you never heard Yankee Doodle stop so short as "it did then."

It was at that Cavalry Camp that we first heard of the proclamation offering a reward of $100,000 for the capture of Mr Davis, upon the charge invented by Stanton and Holt of participation in the plot to murder Mr Lincoln. Colonel Pritchard considerately handed there a printed copy of the proclamation to Mr Davis, who read it with a Composure unruffled by any feeling other than scorn: the money was, several years later, paid to the captors.

At General Wilsons head quarters in Macon I met General Croxton, of Kentucky, one of Wilson's Brigadiers, who had been two classes ahead of me at Yale College. He received me with expressions of great friendship, said he should have a special outlook for my comfort whilst a prisoner, and told me that it was at his suggestion that Harnden and Pritchard had been dispatched to intercept Mr Davis at the crossing of the Ocmulgee River at Abbeville—having heard from some of the Confederate Cavalry who had been disbanded at Washington, Georgia, with a few dollars in silver in the pockets of each of them, that the President had ridden south from there.

Burton N. Harrison to F. P. Blair.[1]

(From Confederate Memorial Hall.)

Old Capitol Prison,
May 22, 1865.

Mr. Blair,

My dear Sir,

I am the Private Secretary of President Davis and am a prisoner at the Old Capitol, ariving this afternoon from Fortress Monroe, where I left the President and his family confined on board a Steamer anchored near the Fort. Mr. Davis was to be removed to a casement on shore yesterday, and it was asserted by the officer having them in charge that the ladies and children of the party were to be sent South.

Mrs. Davis was subjected to great discomfort on ship-board and several members of her family were quite unwell—she was not allowed to go ashore—she and her little children were under strict guard and held as prisoners—she was informed that she would not be allowed to go North—to go abroad, or to remain near or communicate with her husband.

All the members of the President's staff and the other gentlemen of our party had been removed from the ship and sent (to) prisons. Her servants had all been seduced to leave her—and in a day or two she expected to be entirely alone with her little ones and the soldiers who are her jailors.

She asked me to appeal to your old time friendship, of which you so recently gave renewed asurances, to procure an amelioration of her condition. Whatever may be done with the President, I cannot consider it to be the purpose of this government to subject his wife and sister and little children to wilful and extreme discomfort and painful mortification. And if you will but kindly move in the matter I am quite sure you can administer to her very great relief.

Her home in Richmond has been broken up—her house in Mississippi destroyed and the plantation devastated. She has no place of refuge in the Southern States to which it is at all agreeable for her to go. Can you not then procure for her passports to go abroad with her Sister and children? And in order to enable her to go to Europe by the most direct route can you not have orders sent at once to the Fortress by telegraph to prevent their sending her back to the South for the present at

[1] On account of its historical value this letter is included in this publication.

least and until her request for passports is acted on by the proper authorities?

She was confident that your kindness would not fail her at this time of sorrow, and I trust she did not mistake your disposition to serve her.

If you will be kind enough to procure an order allowing me an interview with you I should be happy for her sake to tell you of the circumstances of her capture and present situation—a story which has been greatly misconstrued by those who have told it to the public Very respty. your obt. servt.

BURTON N. HARRISON

Mrs. Jefferson Davis to Captain of the Clyde.[1]

(Manuscripts Division, Library of Congress.)

Stm'r Clyde
May 23rd 1865

Sir:

I, with my four little children and young sister suffered the great misfortune of a capture by the Federal forces, while we were trying to make our way in wagons to some foreign port from which to embark for your country, where I hoped to find an Asylum for my homeless and penniless family—Mr. Davis had suffered great apprehensions from rumors of a hostile band of demoralized Confederates who expressed the intention of attacking our train, and followed us, with an armed escort of men with whom he had intended to escape from the surrendered territory in order to renew the struggle in the country still ours. Before his apprehensions justified him leaving my train the Federals surprised us at daylight, and, his arms being at another tent, he was taken alive, consequently is now a subject for vile unmanly accusations, and brutal tyranny—I have been brought thousands of miles, and am now threatened with compulsory return. I have no money, they have robbed me of it, of my wearing apparel, even of my baby's clothing. I have no friends to whom to go when I go South—Mr. Davis's family from wealth have been reduced to poverty as have been mine by the Federals. They have burned our two plantations and stolen our property—I believe they will give me permission to go on your ship if you will let me do so. My husband was taken from me yesterday morning, sick and without warning, he is not even allowed to send a word of sympathy or consolation to me. I am re-

[1] Used on account of its historical value.

fused leave to land or to see the rooms in which he is confined—I could pay my passage to England if I could find a ship to go in—May God grant your domestic life may never be invaded as has been mine, and fill your heart with pity for

Yours very Respectfully

VARINA DAVIS

Please answer today, I may be sent away this evening

To

Capt of English Man of War

[Indorsed: May 23-65
Mrs Davis to Capt of
British Ship "Clyde"]

J. C. Hamilton to E. M. Stanton.[1]

(Manuscripts Division, Library of Congress.)

Union League House,
Broad Street.
Philadelphia, May 27, 1865

Dear Sir:

I take the liberty of inclosing to you a newspaper to call your attention to what is said of the treatment of Davis. I find this statement is exciting most prejudicial feelings & I am informed that even in the league there is much censure. I take for granted parts of the statement are untrue—& if so, it would seem an immediate contradiction ought to be given public & the paper influenced to silence. On my departure from W.n I addressed you a short note—I will write you more fully when I reach N York. I had a long interview with my very warm friend—Horace Binney—He believes in you & as I could converse with him confidentially concurs in the opinion that immediate orders be given to augment the guards near the great public officers—Genl. Grant especially.

In haste—I have the honor to be
Yours respy.
J. C. HAMILTON

Hon. E M Stanton
W-n

[Indorsed: Philadelphia, Pa.,
27th May 1865.
John C. Hamilton
Relative to treatment
of Jeff Davis.]

[1] Published on account of its historical value.

J. C. Hamilton to E. M. Stanton.[1]

(Manuscripts Division, Library of Congress.)

Private & confidential

17 West 20″ St. New York
May 29. '65

Dear Sir.

Do not fear that I will become a correspondent. I possibly may write you one more letter, if some very cogent reason shall prompt me. Then I will be silent.

I proceed now to say, that the more I learned in Phil-a & from two important gentlemen of our "Union League" who called to see me last evening, the more I am convinced of two things—the necessity of controlling our gazettes—and the caution as to Gen[l] S—n. For the instant, the policy is to cherish the "N Y Herald," abusive as it has been of yourself & of Gen[l] Halleck. It was with this intent, I suggested the publication in it of all the papers relating to the terms between S— & Johnson. I am told that the Sat'y "Ev'g Post" states that part of the correspondence, not out, was never seen by you. Let all come out with proper explanations. Order the Herald through me or some other person to print 50,000 copies—extra—of these papers with that you showed me.

Second—as to Gen[l] S— May not a probable theory of the murder and attempted assassination be this? The "London Times" published some weeks since an article shewing the confidence of the South in S—n's politics. This I have not seen, but am told was in the correspondence from Richmond. I inclose a slip which probably refers to it. A friend who has returned from Savannah informs me that S—n habitually rejected the advances of the blacks who complained of his *non* encouragement of them. His letter to Johnson of April 21, 65 contains, as you know, the sentence "senseless discussions" &[c] a key note for my future comments— The paper you shewed me is a paraphrase with *addenda* of his convention with Johnson— The letter stating his expectation the Gov't would *not outlive* the Rebellion has meaning. Keep these in view, & let us proceed. The condition of the South was desperate. M[r] Lincoln, though kind, was true to the country. His cabinet were committed— The Vice Presidents vigor of character & intellect they were

[1] Published on account of its historical value.

aware of. Gen[l] Grant would prove a rampart insuperable. What could be done? Through Sherman a light opened, & at the last gasp of their political life what else presented if not a probable, a possible relief, to their discomfited fortunes? That Sherman knew what was to follow, it would be highly criminal to suppose. But the solution of what did follow, & of the motive for the whole scope of life destruction may be read thus—"We (the South) will put out of the way the P—t—the V. Pt—the Secy of War—of State—and General Grant— The door of access will be before Sherman, & in the midst of the astonished, affrighted events—Sherman can clutch the key, as the deliverer of the Nation. This policy will save our wreck"— The expectation of Sherman that the govt would not survive the rebellion would be fulfilled. The prophet would become the destiny! The change in the villainous plan must have had a motive. At first M[r] Lincoln was to be kidnapped to extort terms —but why not pursue it? Why proceed to assassination? The assassins from their appearance tis evident were mere hirelings— They were *directed* to the new purpose. This is a painful picture, but when we are dealing with the life or death of nations we must penetrate deep into all the wickedest recesses of policy. The whole is a shrouded scene.

Are there not some conclusions to be drawn from this theory? Is it probable, if Davis & others are not executed, that the lives before in jeopardy will be permitted to exist? Gen[l] Grant told me, you thought there was danger—that he *did not*. If there is a scintilla of doubt as to the safety of you all or of any one of you, has the government a right to question with its safety? Is it not an imperative duty to protect by every adequate means against every possible danger? The warmest friend I have in the world is the senior Horace Binney. I conversed with him long on Saturday— He told me [*This is very confidential*—] that now was his great alarm—that an officer whom he could not name he said even to me—stated to a friend, after drawing a just distinction between Sherman & Grant, "*that Sherman was not to be relied upon.*"—that the govt were bound to protect themselves fully & that an exponent by a proper gazette ought to be established— He said he had sent you a copy of his pamphlet. Again as to personal danger— Ride out to the house my daughter occupied— Notice the loneliness—the frail windows coming to the ground—the facility of access from Virginia, & then say whether Gen[l] Grant is safe I wish to heaven he was *away from there*— I feared for Halleck when there— Even when

he had a small guard, a thief entered, stole & escaped. Not only ought a considerable force be placed there of foot men, but videttes be ordered to patrol the highway—*night* & day— I have walked the hill at night & know its obscurity. To the "dauntless temper of his mind (Grants) He hath a wisdom that doth guide his valour," but *not* for his *own* "safety." I saw at night two sentinels near Mr Hoopers house—no horsemen—The White House is *our* property, the President is *our* property— You are *our* property. We have a right to demand of you the *care of yourselves.* I do not write from a vague solicitude. I cannot disclose *now* why I am thus urgent, but I have good reason for what I say. I am not easily scared.

Finally as to a new gazette— I have endeavoured through my friend A A Low—P—t of the Chamber of Commerce & other wealthy men to have a gazette established— Their contributions have been large—for other purposes—but they will not do enough for this purpose. I have observed through life that Merchants act upon a present danger—the future is closed to them— What then? A proper exponent of the Administration *must* exist here. How can it be established? Only by funds subscribed by such men as Cook & Co & other beneficiaries of the govt.— Tis a matter of immediate necessity. It will require, I am told, 250,000 dollars— The best plan is to purchase the "Journal of Commerce" or "the Tribune." to place the property in trust of some safe, independent men here—say eight or ten—with power in case of decease to fill up their own numbers —to make the shares inalienable &c &c and to HIRE the editors at pleasure. I have some men in view to conduct it. I will do all I can for its establishment—except the money purchase, but that I will not touch directly or indirectly Only I will subscribe to the capital—a thousand dollars.

I may; my dear Sir, be dreaming, but one mans dreams sometimes awakens others. You cannot sleep on your countrys well being. Let others all remember we are not yet in port. May God preserve the men in power to complete the great office God has entrusted them with.

Yours most respy & truly

JOHN C HAMILTON

Hon Edwin M Stanton
Secy of War
Washington.

P.S. Perhaps it might be fair to shew this letter to the President in confidence. Should the public safety require it, I will give a copy of S—ns letter to me—not otherwise.

Thurlow Weed to E. M. Stanton.[1]
(Manuscripts Division, Library of Congress.)

Albany, May 29.

My Dear Sir,

I could not believe the accounts of Ironing Davis, but they *seem* authentic. If true, it is a great error and a great calamity. All else is well, and I hope that this dreadful cloud may not obscure the glory of other Achievements.

The fact—if fact it be—is even less revolting than the details. Until now, our count[e]ry is honored every where. The World is with us. But this wholly unnecessary severity with a *State* Prisoner will loose us a great advantage.

If the mistake has been made, I am sure it must have been without Authority, and I pray that you will immediately correct it.

Very Truly Yours,

THURLOW WEED

Hon E. M. Stanton.

[Indorsed: Albany, New York,
29th May 1865
Thurlow Weed.
Relative to ironing
Jeff. Davis.]

Charles O'Conor[2] *to E. M. Stanton.*
(Manuscripts Division, Library of Congress.)

[Letters from Charles O'Conor to Davis, latter's reply, & correspondence between O'Conor and the War Department]

New York, May 31st 1865

Sir,

I have been requested to volunteer my services as counsel for the defense on the trial of an indictment which, as appears by

[1] Published on account of its historical value.

[2] O'Conor, Charles (1804-1884), a lawyer, was born in New York City, January 22, 1804, was educated in New York, and admitted to the bar at the age of twenty. He became widely celebrated as a lawyer in the Jumel estate case, Lispenard will case, and others of importance. In 1848 he was defeated as a candidate for lieutenant governor, but ran well ahead of his ticket. During the civil war he was a sympathizer with the Southern States, was senior counsel for Mr. Davis at his trial, and went on Mr. Davis's bail bond. He retired in 1881, making his home at Nantucket, Mass., where he died May 12, 1884. Mr. O'Conor was at one time conspicuous among the "Friends of Ireland."

the public papers, has been presented against the Honorable Jefferson Davis, now a prisoner at Fortress Monroe. Whilst assenting to this request I felt and expressed a conviction that the measure had not been initiated by desire of the Government, and that it would not be prosecuted. Nevertheless I do not feel at liberty, in reliance on such mere personal belief, to omit any of the ordinary precautions prescribed by professional rules to those who assume the duty of defending against public accusations, I therefore take the liberty of soliciting the permission of your department to transmit to the accused an open letter tendering my aid, in case he should be arraigned upon the above mentioned indictment.

I am Sir
Your Obdt Svt.

Hon
Edwin M. Stanton
Secretary of War [1]

CH. O'CONOR

Written in pencil across the front:
I would simply write to
by a Clerk
Charles O'Con[er?] that any
letters he may desire to transmit to
the prison[er?] may be forwarded open to
the Sec of War

[Indorsed: New York, May 31. 1865.
Chas O'Conor.
Asks permission to transmit to Jefferson Davis now in confinement at Fortress Monroe an open letter, tendering him his aid, in case he is arraigned upon an indictment, which, it appears, has been presented against him.

Copy of Secretary of War's letter in answer enclosed herewith.
[in pencil]
file Safe]

[1] Published on account of its historical value.

War Department

(Copy) Washington City,
June 1st 1865.

Sir:

An open letter, tendering your aid to Mr Davis in his defence, as proposed in your letter of yesterday's date, will be forwarded to Mr Davis by Adjutant General Townsend, Washington, if transmitted under cover to him.

Your obedient Servant,
EDWIN M. STANTON,
Secretary of War.

Charles O'Conor, Esqr
New York City.

Jefferson Davis to Charles O'Conor.
(Manuscripts Division, Library of Congress.)

Fortress Monroe, Va,
7 June, 1865.

My Dr. Sir:

Yours of the 2d inst was laid before me yesterday, and today permission has been granted to me to make a specific reply to your offer. Formally then, I accept your tender of services as my counsel, and offer my grateful acknowledgements for your kindness, Please oblige me still further by giving my thanks to those generous men who, though personally unacquainted with me, and wholly unconnected with the Southern States, nevertheless have had their regard for law and their love of justice quickened into action by a knowledge of my present condition.

After my capture as a prisoner of War the proclamation publicly accusing me and offering a reward for my arrest reached the section where I then was; since my arrival here all knowledge of passing events has been so rigorously excluded, that I am quite ignorant as to any proceedings instituted against me, as well as the character of the evidence on which they could have been founded; and consequently cannot judge what kind of testimony will be required for my vindication.

Though reluctant to tax you with the labor of coming here, I must, for the considerations indicated request you to obtain the requisite authority to visit me for the purpose of a full conference.

Again tendering to you my sincere thanks, I am, very respectfully & truly, Yours

(Signed) JEFFERSON DAVIS

Chas O'Conor, Esqr.
New York City

15 June 1865. In Confinement at Fort Monroe,
This letter to-day was returned with an objection to the sentence marked by brackets and has been rewritten omitting that sentence, and prefixing an explanation thereof.

(Sgd) D.

Hd Qrs. Mil Dist of Ft. Monroe,
Fort Monroe, June 18, 1865.
A true Copy. in red ink
John J McEwan
Capt & A.A.A.G.
[Indorsed: Jefferson Davis to
Chs O'Connor
June 7/65]

Charles O'Conor to E. M. Stanton.

New York, June 15th 1865

Sir,

On June 2nd 1865, agreeably to permission granted by the War Department, I addressed to the Honorable Jefferson Davis now a prisoner at Fort Monroe, a letter, tendering my aid as counsel in his defence in case he should be arraigned upon an indictment which has been announced in the Newspapers, On June 5 Adjutant General Townsend acknowledged the receipt of this letter, and advised me that it had been duly forwarded

Ten days have elapsed and I have received no reply or other intimation on the subject. Some accident may have prevented the delivery of my letter or the safe transmission of a reply. I therefore request that my associate, Edwin A. Van Sickle Esq of this City or myself as may be most convenient to us may be permitted to have a personal interview with the accused.

My urgency arises from a desire to avoid any postponement or delay in case a trial of this indictment should be determined on,

I am Sir,
Yours Respectfully
Ch. O'Conor

Hon
Edwin M. Stanton
Secretary of War,
[Indorsed: C. OConnor Esq
to/EMStanton/June 15/65
Recd. June 17, 1865 (W.D.)]

War Department

Washington City
June 17 1865

Dear Sir

Enclosed I send for your perusal a letter rec[d] from M[r] O Connor this morning and the reply proposed to be sent

Yrs truly
E M Stanton

Hon W[m] H Seward

Headquarters
Military District of Fort Monroe,
Fort Monroe, Va, June 18, 1865.

Hon C. A. Dana,
Asst. Secy of War,
Washington D. C.,
Sir:

I have the honor to transmit herewith, in compliance with telegram, an Official Copy of the letter of the prisoner Davis, to Chas O'Conor, of New York.

I am Sir,
Very Respectfully,
Your Obt Servt
Nelson A. Miles
Bvt. Maj. Gen. Comdg.

[Indorsed: Copy of letter
of Jeff Davis
returned—]

James M. Mason to Charles O'Conor.[1]

(Manuscripts Division, Library of Congress.)

London—19[th] June—1865

Charles O'Connor Esq[r]
New York—

Dear Sir,

I have remarked, with deep interest, a report in the New York papers, that you had kindly volunteered to become the counsel of

[1] Published on account of its historical value.

President Davis, in the anomalous and violent proceedings instituted against him by the Government at Washington. I earnestly hope that it may be true. You can well understand the deep interest I and those representing our Government here, feel in this matter, and the responsibility we acknowledge, to leave nothing undone in our power, to come to his aid, and to those others, officers of the Government, who have fallen into the power of the authorities at Washington, among whom, we learn, are several members of the Cabinet at Richmond, members of the Confederate Congress, and other civil officers.

I venture to address you, as you will perceive, in the hope that you will be the counsel for President Davis and his associates. I am aware that to conduct the defence properly, expense must be incurred, besides the fees of counsel, in preliminary preparation as regards obtaining rebutting or other evidence, etc., and my apprehension is, looking to the circumstances attending the arrest and confinement of those gentlemen, that they may be without means, and am desirous that no injury should result to them in consequence.

If thus you are at liberty to act, I beg to say, that your draft on Messrs John K. Gilliat & Co., N°. 4, Crosby-Square, London, for Five hundred (£500) pounds sterling to be applied to the purposes mentioned, will be honored on presentation, and on hearing from you that you will undertake the great cause of their defence, a further and sufficient supply of funds shall be placed at your command, at least to an amount, that for certainty on your part, shall be fixed on hearing from you.

I know of none other, in the disastrous condition of my country, who can come to the aid of these gentlemen, unless it should be Mr Jacob Thompson, late an agent of the Confederate Government in Canada,—and I have not his address to communicate with him,—but if allowed to communicate with Mr Davis as his counsel, you may learn it from him, and can know what steps, if any, in this behalf he has taken, and act accordingly. My desire is that your able professional aid should be given, if practicable, as well to the gentlemen I have referred to as in custody, as to the President.

And you will permit me further to express the hope, that you may have it in your power, by access to the President and his associates as counsel, to do what may be necessary for their *personal comfort*, the charges to be defrayed from the fund now placed at your command.

I shall hope for an early reply, which will reach me under

cover to Messrs J. K. Gilliat & Co. whose address I have given you within.

Very Respectfully
Your Obd^{t}. Serv^{t}.
(signed) J. M. Mason.

(endorsed) Copy of letter to Chas O'Connor Esq^{r}.
London—19th June—1865.

C. J. McRae to James M. Mason.[1]

(Manuscripts Division, Library of Congress.)

5. St. Helen's Place
London, E. C. June 20 1865.

My dear Mr Mason

I have opened the credit for Mr O'Conor with Messrs Jno K Gilliat & Co for £500, have also written to our friend in Paris that I wish to deposit with him £10,000—to be used as hereafter directed, and asked him to inform me, *by return mail,* with whom I shall place the money here—This being done I shall feel I have done right whether speculating creditors of C. S. be paid in full or not.

I have had nothing from Messrs Frazer, Trenholm & Co in reply to my letter to them of the 16th which as far as I am concerned closes the transaction of Major Walker in reference to his shipping 527 Bales of pvt Cotton, proceeds to be placed to his own credit—To keep you posted up I send you Copy of my letter of the 16th to F—T—& Co

If entirely convenient to you, I would be glad if you would come up for a few days, the early part of next week, I think matters will come to a crisis about the 27th or 28th Inst & I would be glad if you are here at that time—so that I may have the benefit of your advice—Yours Truly

C. J. M'Rae.

To the Honl
James M Mason
28 Grove Street
Leamington

P. S.

I also enclose copy of the letter to Mr O'Conor—Copies of which I have sent to Mr Thompson C. J. M.

[1] Published on account of its historical value.

E. D. Townsend[1] *to Q. A. Gillmore.*

(Manuscripts Division, Library of Congress.)

Telegram

Copy

War Department
Washington City,
June 30 1865.

Major Gen[l]. Q. A. Gillmore,
Charleston,
South Carolina.

You will please, upon receipt of this telegram, and the one accompanying it addressed to Gen[l]. Vogdes, forward the latter to Gen[l]. Vogdes by special messenger, who will be instructed by you to remain for the reply, and, as soon as it is prepared, to convey it without delay to this Department.

By order of the
Secretary of War.
E. D. Townsend,
Asst. Adjutant General.

E. D. Townsend to Israel Vogdes.[2]

Telegram

War Department
Washington City,
June 30th 1865.

General Israel Vogdes.

Certain boxes, containing papers and effects of Jefferson Davis, seized by your order in Florida, have reached the War Department. They appear to have been opened, & ransacked, before they were forwarded by you. You will please report to this Department all the facts in relation to the seizure and

[1] Townsend, Edward Davis 1817-1893), a soldier, was born in Boston, Mass., August 22, 1817, attended the Boston Latin School, and was graduated at West Point in 1837. He served in the Florida war, 1837-1838, on the Canada frontier, 1838-1841, and thenceforward in the office of the adjutant general of the army, becoming chief of staff to General Scott in 1861. During the entire civil war, General Townsend was the principal executive of the war department, and his relations were very intimate with President Lincoln and Secretary Stanton. In 1869 he became adjutant general of the army. He was retired in 1880, and died in Washington, D. C., May 11, 1893. He wrote A Catechism of the Bible, 1859 and 1862; and Anecdotes of the Civil War, 1884.

[2] Published on account of connection with Davis papers.

examination of these papers, and their transmission to this Department, answering, specifically, the following interrogatories:

First.—When, where, and by what officer the seizure of the papers and effects was made? and enumerate the boxes packages &c and their contents as far as known to you (After the ? the writing is in another hand)

Second. What disposition was made of them by the officer making the seizure?

Third. When and where did they come into your immediate possession, had the packages been opened before they came into your possession, and if so, when, where, and by whom?

Fourth.—What examination did you make of said papers, or copied or allowed to be copied or retained by you or others and what papers if any have you retained in your possession,

Fifth.—In whose custody were the papers from the time they were first seized until they came into your immediate possession?

Sixth.—How long did you have the packages and papers in your possession before you forwarded them, and by whom and to whom did you forward them?

Seventh.—State what papers you found and examined in any of the packages, boxes, or trunks, and what you did with them?

Eighth. State what effects, other than papers or documents, were taken from the boxes after their seizure, by whom they were taken, and what became of such property or effects?

You will make an immediate and detailed answer to this telegram, and send it to this Department by the messenger who will deliver to you this despatch

By order of the
Secretary of War.
E. D. Townsend,
Ass[t]. Adjutant Gen[l].

Jefferson Davis to Charles H. Fowler.[1]

(Original in possession of Mr. Fowler's family in New Haven.)

Fortress Monroe Va
30 June 1865.

Chas. H. Fowler Esqire
New Haven Conn.

Dear Sir,

I have the honor to acknowledge your kind letter of the 22d inst. and sincerely to thank you for the manifestation of good

[1] Published on account of its historical value.

will. Before the receipt of yours a similar offer had been made by Mr. O'Conor of New York and replied to accepting his services and requesting him to visit me for the purpose of a conference with him as my counsel. He has not yet arrived and I am not informed for what, or when I am to be tried. Being confined without a commitment and since my confinement excluded from all knowledge of passing events, I am quite at a loss to know what evidence will be useful for my defence, and have no clue to the testimony on which I have been publicly accused.

Mr. O'Conor will I hope be here in a short time and after seeing him I shall be better able to communicate with you.

In the meantime let me assure you that I most sensibly feel the magnanimity which has led you voluntarily to come to the aid of one who had no other claim upon you than that of a fellow man in misfortune. Whenever a full investigation shall be had, I trust you will be justified by the complete vindication of my character and motives, for the generous interest you have shown in my behalf.

Very respectfully and truly yours
(signed) JEFFER. DAVIS

Charles O'Conor to Charles H. Fowler.[1]

(Original in possession of Mr. Fowler's family in New Haven.)

Clarendon Hotel
Saratoga Springs July 15, 1865

Dear Sir

You have been more favoured than myself. Mr. Davis' letter to me in reply to my tender of services was returned to him as an improper communication. Permission to visit him and confer upon his case with him orally has been for the present denied both by the Attorney Genl. and the Secretary of War.

Of your kind offer, I shall take due note and whenever I can have an interview with Mr. Davis communicate it to him and doubtless we will find occasion to make your services available

I am Dear Sir
Yours truly
(Signed) CH. O'CONOR.

Charles H. Fowler Esq
New Haven
Conn't

[1] Mr. O'Conor and Mr. Fowler were later instrumental in securing the bond which Horace Greeley furnished.

Charles O'Conor to James M. Mason.[1]

(From Manuscripts Division, Library of Congress.)

New York, July 9th 1865.

Dear Sir,

Your favor of the 19th Ult° is received.

On the 2nd Ulto. pursuant to leave granted by the War Department my open note tendering my aid as Counsel was forwarded to Mr. Davis through the Adjutant General's office. Not having received a reply in due season, I addressed that department mentioning the fact, attributing it to some accident and asking admission to a personal interview with Mr Davis. This brought an explanatory letter from the Asst. Adjt. Gen[l]. It stated that Mr. Davis' reply had been referred to the Attorney General and being deemed by him to be an improper communication it had been returned to Mr. Davis for correction. This letter also stated that the War department was only charged with the custody of Mr Davis, and that any future communications respecting him should be addressed to the Attorney General. After the lapse of a fortnight I addressed the Attorney General renewing my solicitation for a personal interview. I send you a copy of his answer.

This seems to confine for the present the action of Counsel to mere personal preparation for the possible but by no means certain event of a forensic encounter. It may be that the Government is in much doubt as to its most advisable course.

Your favor contains a general reference to action on my part for others involved in the threatened prosecutions. I have not undertaken any such general agency; nor is it in my power to do so. I think Mr Davis' will be the test case; and I think it will be first dealt with. In doing my utmost to defend him, it is probable that I shall, in effect, afford to others in like condition substantial aid. I have so stated to Mrs C. C. Clay, in reply to a letter requesting me to act in behalf of her husband.

My services are freely given for the object in view and of course no pecuniary provision is required in reference to myself. I do not suppose that any other gentleman at the North whose professional services would be deemed useful will consent to accept compensation. Consequently, as at present advised, I shall have no occasion to use the credit unless it should be found necessary for incidental expenses or special services.

[1] Published on account of its historical value.

I do not think it advisable at this time to publish any part of my correspondence with the departments. Should it be done the authorities at Washington might decline further intercourse with me.

I am Dear Sir,
Yours truly
CH. O'CONOR.

(endorsed)
Mr. Mason
London

James Speed[1] *to Charles O'Conor.*

(From Manuscripts Division, Library of Congress.)

Attorney General's office,
Washington July 6, 1865.

Sir,

Your note of the 3d inst: requesting permission to visit Mr Jefferson Davis has been received.

In reply, I have the honor to say that this prisoner has not yet been handed into civil custody, and that so long as he may remain in his present military custody as a prisoner of war, the Government cannot consent to allow any one to visit him.

When he shall be delivered into the custody of the proper officer of the law, under an indictment duly found in the district in which it may be deemed proper to bring the prisoner to trial, he will be treated in all respects as other persons in the civil custody of the United States; and you will then be able to secure the conference with him that you desire.

Very Respectfully
Your Obdt. Servt.
"JAMES SPEED"
Attorney General.

Charles O'Conor Esqr
New York City.

[1] Speed, James (1812-1887), a lawyer and political leader, was born near Louisville, Ky., March 11, 1812, was graduated at St. Joseph's college, Bardstown, Ky., in 1828, studied law at Transylvania, and began practice at Louisville in 1833; and was professor of law in the University of Louisville, 1856-1858. He had been consistently opposed to slavery and used his influence to prevent the war. When the war became inevitable he was a powerful instrument in keeping Kentucky out of the Confederacy. He was mustering officer, U. S. volunteers, 1861-1864; State Senator, 1861-1863; and U. S. attorney general, 1864-1866, when he resigned from opposition to President Johnson. In 1875 he returned to his law professorship and died June 25, 1887.

Charles O'Conor to James M. Mason.
(Manuscripts Division, Library of Congress.)

New York Aug 16 1865

My dear Sir

Your letter of the 29th Ulto being your second was received on the 9th Inst. No other from you has reached me.

As far as I can judge at present the £500 for which I hold a letter of credit will exceed all pecuniary needs.

I have before indicated a disinclination to purchase professional aid.

Your first letter authorized expenditures for the *personal* comfort of certain State prisoners. I have assumed that their wives and children might receive moderate and necessary pecuniary aid and should be pleased to know whether this course meets your approval.

I am somewhat surprised that the very advisable precautions which attended your first communication were not observed in your second. Without any previous experience of the sort I have met with much delay and some loss of letters entrusted to the mails since my announcement as one of the Counsel for Mr. Davis. I have therefore become very cautious in my correspondence not only as to the mode of transmission but as to the matter communicated. Letters should be sent under cover to some inconspicuous person with instructions to make delivery to myself in person. I do not name such a one as this letter may fall into adverse hands

The chief Executive is often *sick*, his advisors do not all concur in opinion nor are their objects alike. Consequently the future action of the government with respect to the State prisoners can only be conjectured.

I will state my conjectures.

No trials for treason or any like offence will be had in the civil courts. Notwithstanding the Surratt murder and its flagitious concomitants the managers at Washington are not agreed as to the safety of employing military commissions to color a like outrage upon any eminent person. Neither treason nor any ordinary belligerent act can be tortured into a military offence and hence arises a doubt as to the most expedient course. If by the trial of subordinates before a military commission, say a prison-keeper or the like, something could be shewn which convenient official ignorance might pronounce a breach of the laws of War, then indeed after hanging the accused his Superior

might be disposed of in the same way in the pretence of a constructive responsibility. This would seem to be the subterfuge now most in favor with some. Doubtless there are others who advise simple and informal banishment, or some piece of indirection by which these gentlemen would pass out of the hands of the government.

Consulting from time to time with some reliable friends, watching as closely as practicable the movements and outgivings of those in power and making suitable preparations for every apprehended contingency I shall remain at the post assumed until the imprisonment of Mr Davis or the proceedings against him shall have terminated. I can undertake no duty as to others. What may be done for them, if any thing, will be the result of a spontaneous impulse at the moment of need and will not be prompted by any supposed commitment or prior agreement

I am Dear Sir

Your obedient Servant

Mr Mason — Ch. O'Conor.

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis, pp. 703-706.)

Fortress Monroe, August 21, 1865.

I am now permitted to write to you under two conditions, viz., that I confine myself to family matters, and that my letter shall be examined by the United States Attorney-General before it is sent to you.

This will sufficiently explain to you the omission of subjects on which you would desire me to write. I presume it is, however, permissible for me to relieve your disappointment in regard to my silence on the subject of future action toward me, by stating that of the purpose of the authorities I know nothing. . . .

I often think of "old Uncle Bob," and always with painful anxiety. If Sam has rejoined him he will do all in his power for the old man's comfort and safety.

The Smith land had better be returned to the heirs. No deed was made, and the payments were for movable effects and for interest; their right to the land, which alone remains, clearly revives, since I am unable to make the payment which is I *believe* due, and *shall* be unable to fulfil the engagements hereafter to mature; therefore, the sooner the case is disposed of, the

better. . . . I have the prayer-book you sent, but the memorandum placed in it was withheld. . . .

. . . The confidence in the shield of innocence with which I tried to quiet your apprehensions and to dry your tears at our parting, sustains me still. If your fears have proved more prophetic than my hopes, yet do not despond. "Tarry thou the Lord's leisure, be strong, and He will comfort thy heart." Every day, twice or oftener, I repeat the prayer of St. Chrysostom. . . .

To the surgeon and regimental chaplain I am under many obligations; the officers of the guard and of the day have shown me increased consideration, such as their orders would permit. The unjust accusations which have been made against me in the newspapers of the day might well have created prejudices against me. I have had no opportunity to refute them by proof, . . .; and can, therefore, only attribute the perceptible change to those good influences which are always at work to confound evil designs. . . .

Be not alarmed by speculative reports concerning my condition. You can rely on my fortitude, and God has given me much of resignation to His blessed will.

Men are apt to be verbose when they speak of themselves, and suffering has a rare power to develop selfishness, so I have wandered from the subject on which I proposed to write, and have dwelt upon a person whose company I have for some time past kept so exclusively that it must be strange if he has not become tiresome.

It has been reported in the newspapers that you had applied for permission to visit me in my confinement; if you had been allowed to do so the visit would have caused you disappointment at the time, and bitter memories afterward. You would not have been allowed to hold private conversation with me. . . .

Remember how good the Lord has always been to me, how often He has wonderfully preserved me, and put your trust in Him. . . .

JEFFERSON DAVIS.

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis 706-707.)

Fortress Monroe, Va., September 15, 1865.

. . . As only an occasional newspaper is given me, I cannot know whether any replies are made to the fictions published in

regard to myself; as their effect is not merely to prejudice public opinion against myself, but extends likewise to those who were politically associated with me, it would not seem probable that even the timidity of this day would keep silent all whose justification is the truth. . . .

Tell me when you write whether your personal property, seized by the command which captured us, has been restored. I expected Generals Johnston and Sherman would regard the expedition as contrary to their agreements and take corresponding action, which would at least bear on the question of property claimed as the capture of war. If they, or either of them, have done so, the fact has not become known to me. General Sherman, however, I observe, indignantly repels the idea of my having specie enough to buy him, at the same time declining to state his price. All I can say on the point is that if he was to bring no more than Beadle Bumble did, I could not have made the purchase.

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis p. 707.)

Fortress Monroe, September 26, 1865.

. . . It is true that my strength has greatly failed me, and the loss of sleep has created a morbid excitability, but an unseen hand has sustained me, and a peace the world could not give and has not been able to destroy, will, I trust, uphold me to meet with resignation whatever may befall me. . . .

If one is to answer for all, upon him it most naturally and properly falls. If I alone could bear all the suffering of the country, and relieve it from further calamity, I trust our Heavenly father would give me strength to be a willing sacrifice; and if, in a lower degree, some of those who call me (I being then absent) to perform their behests, shall throw on me the whole responsibility, let us rejoice at least in their escape, expecting for them a returning sense of justice when the stumbling-blocks of fear and selfishness shall have been removed from their paths. . . .

The great mass, accepting the present condition of affairs as the result of the war, and directing their attention to the future issues which are involved in the changes produced, would bury the inevitable past with the sorrow which is unmingled with shame. . . .

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis pp. 718-719.)

Fortress Monroe, Va., October 2, 1865.

. . . My days drag heavily on. To what, I have no means to direct, or to foresee. Having no communication with the outer world except with you, and in that restricted by the *judgment of the Commanding Officer as to what should be sent.* The example you give will illustrate. The "new overcoat" I have not received, though, probably, when the statement was published on which you relied as telling at least one fact, it had reached this post. The matter being of such public importance as to have been followed in its progress through the tailor's shop, and down the Bay, the journals may give you the future history before it is known to me.

My daily walks continue, the hour *dependent upon General Miles's engagements,* as I only go out when he can be present.

Deprived of the opportunity to assemble with the members of the church, there is left to me the spirit communion with those I daily and nightly summon to meet together in His name, who is ever present, and thus I have read the morning service, including the lessons both of the Dominical and Calendar day. How full they are of Providences. Holy innocence closes the mouths of fiercest beasts and triumphs over the crafts and subtleties of wicked men; conscious sinfulness silences those who came to arraign a guilty mortal and entrap the righteous judge; repentance working deliverance to an oppressed and dispersed people; the prayers of the Church affecting the miraculous preservation of one apostle from the fate which had a short time before fallen upon another.

I could not write daily as you wish, because I am not allowed to keep stationery. When it is specially granted it has to be accounted for, the whole being returned written or blank, as may be. . . . With you it is otherwise, and the Attorney-General will probably indulge us by forwarding your letters as often as you write. His past courtesy warrants such expectation.

William B. Reed, of Philadelphia, recently tendered to me his professional services in a very kind and handsome letter. Thomas J. Wharton, C. E. Hooker, and Fulton Anderson, are the Mississippi lawyers who offered their services and were recognized as counsel by the United States Secretary of State. I requested permission to acknowledge their kindness by a letter; it was not granted.

Charles O'Conor to J. M. Mason.[1]

(From Manuscripts Division, Library of Congress.)

New York, Oct. 9th. 1865.

Dear Sir,

Yours of the 23rd Ulto. is received. Mr McRae's suggestions which you confirm have been answered in a note addressed to him.

But two military commissions have been appointed from which any evil of the kind indicated by Mr. McRae was to have been apprehended. The rude manners and shamefully partial decisions on incidental questions which marked the course of each have deprived these bodies of all claim to respect. The selection made as to most of the members and especially the choice of president, gave each of them a reputation at the very outset which might justify a total absence of all fear as to the weight of any precedent which it could make. A special question of policy which has engaged the close attention of all with whom I commune *orally* on the general subject, was involved in the line of action which might be pursued by me concerning the intended-to-be preliminary commissions. Our inability to confer with Mr. D. prevented our Councils from arriving at a definitive conclusion on this question; and thus it became necessary to hazard in respect to the Wirz trial what may be called a conjectural determination. My judgment led to non-action. I was unwilling to risk one chance in a thousand that those who could be said to represent that which yesterday was a power of the Earth were participants in the Wirz defence.

In what has been said about precedents I refer merely to the degree in which the acts of these military tribunals might afford murderously inclined politicians encouragement to follow up their career of oppression and crime—in which they might incline popular sentiment to cry out for further sacrifices, in which they might afford a pretence for urging President Johnson, against his own will, to order new commissions. In no higher sense has the word any just application to the matter in hand.

Even should a military commission be hereafter appointed to investigate charges against Mr. Davis—now a most improbable event—I felt justified in assuming that men of much higher character would be appointed to preside over it, than the leaders among those heretofore selected for similar duties. The evidence

[1] Included on account of its historical value.

would of course be taken anew, and would be subject to any scrutiny that it might be thought fit and be possible to institute. The force of this scrutiny would not be diminished by the former trials; nay, under almost any conceiveable circumstances, the previous record would tend to embarrass the prosecution and to facilitate the defence.

I am Dear Sir,
Yours truly,
CH. O'CONOR.

Hon
J. M. Mason

Mrs. Jefferson Davis to John J. Craven.[1]

(From Jefferson Davis by Mrs. Davis pp. 708-717)

Mill View (Near Augusta, Ga.), October 10, 1865.

Colonel John J. Craven: . . . I dread paralysis for him, his nerves have been so highly strung for years without relief. If you can, and perhaps you may, prevail upon the authorities to let him sleep without a light. He is too feeble to escape, and could not bear a light in his room when in strong health. The sequel of these attacks has always been an attack of amaurosis, and in one of them he lost his eye. It first came on with an attack of acute neuralgia.

When he was taken from me on the ship, the provost-guard and some women detectives came on board, and after the women searched our persons, the men searched our baggage.

. . . They then told my servants that they could go ashore if they did not desire to go to Savannah. The husband of my faithful colored nurse forced her to go. I entreated to be permitted to debark at Charleston, as my sister, Miss Howell, still continued to be ill, and I feared to return on the ship with a drunken purser, who had previously required Colonel Pritchard's authority to keep him in order; and going back, Mrs. Clay, my sister, and myself would be the only women on the ship—but this was refused. Acting as my own chambermaid and nurse, and the nurse also of my sister, we started for Savannah. We had a fearful gale, in which the upper decks once or twice dipped water, and no one could walk.

God protected us from the fury of the elements; but the soldiers now began to open and rob our trunks again. The crew, however, gave us some protection, and one of the officers

[1] Published on account of its historical value.

in the engine-room gave up his cabin and locked everything we had left up in it. The Lieutenant of the Fourteenth Maine, Mr. Grant, though a plain man, had the heart of a gentleman, and took care of us with the greatest assiduity. Some of the soldiers and crew helped me to nurse, and saved me many an hour of wakefulness and fatigue.

My little daughter Maggie was quite like an old woman; she took her sister early every morning—for the nights were so rough I could not sleep, because it was necessary to hold the infant to avoid bruising it—and with the assistance of our faithful servant Robert, who held her still while she held her sister, she nursed her long enough for me to rest. Little Jeff and I did the housekeeping; it was a fair division of labor, and not unpleasant, as it displayed the good hearts of my children.

Arrived at Savannah, we trudged up to the hotel quite in emigrant fashion. My sister with the baby, and Robert with the baggage; I, with my two little sons, little Maggie, in quite an old-fashioned manner, keeping all straight and acting as parcel-carrier; for we could not procure any carriage and must walk until we reached the Pulaski House, where, after a day and night, we procured comfortable rooms.

A black waiter, upon answering my bell, and being told to call my man-servant Robert, replied very impertinently that, "if he should see Robert he would give the order, but did not expect to see him." When Robert heard it, he waited till all the black servants had assembled at dinner, and then remarked that he should hate to believe there was a colored man so low as to insult a distressed woman; but if so, though a peaceable man, he should whip the first who did so. The guilty man began to excuse himself, whereupon Robert said: "Oh it was you, was it? Well, you do look mean enough for that or anything else." From that time all the greatest assiduity could do was done for me, first from *esprit de corps,* and then from kind feeling.

The people of Savannah treated me with the greatest tenderness. Had I been a sister long absent and just returned to their home, I could not have received more tender welcome. Houses were thrown open to me, anything and everything was mine. My children had not much more than a change of clothing after all the parties who had us in charge had done lightening our baggage, so they gave the baby dresses, and the other little ones enough to change until I could buy or make more.

Unfortunately for me, General ————, who, I hear, was "not to the manner born," was in command of the district at the time. I asked permission to see him, and as I was so unwell

that I could not speak above my breath with a cold, and suffered from fever constantly—the result of exposure on the ship—I wrote to beg that he would come to see me, for his aide had told me the night before that I could not be permitted to leave Savannah, and having been robbed of nearly all my means, I could not afford to stay at the hotel. Besides, as soon as I reached the hotel, detectives were placed to watch both me and my visitors, so I did not feel at liberty, thus accompanied, to go to private houses.

General ————'s aide, whose animus was probably irreproachable, but whose orthography was very bad, was directed to tell me that, except under very extraordinary circumstances, he did not go out of his office, and "all such" (which I afterward found to mean myself) "as desired to see him would call at his office." To which I answered, that I thought illness and my circumstances constituted an extraordinary case; but that I was sorry to have asked anything, which he "felt called upon so curtly to refuse." On the following day I went, accompanied by General Mercer. Need I say that General ———— did himself justice, and verified my preconceived opinion of him in our interview, in which he told me he "guessed I could not telegraph to Washington, write to the heads of departments there, or to anybody, except through the regular channel approved;" and I could not write to my friends, "except through the Provost-Marshal's office;" and that I was permitted to pay my expenses, but must remain within the limits of Savannah.

With many thanks for this large liberty accorded so graciously, I bowed myself out, first having declined to get soldiers' rations by application for them to this Government.

In this condition I remained for many weeks, until, fortunately for me, General Birge relieved him, but had it not in his power, however, to remove the restrictions any further than to take the detectives away, of whom I heard, but did not see. General Birge permitted me to write unrestrictedly to whom I pleased, and appeared anxious, in the true spirit of a gentleman, to offer all the courtesies he consistently could.

My baby caught the whooping-cough, and was ill almost unto death for some days with the fever which precedes the cough; and then she slowly declined. I did what I could to give her fresh air; but the heat was so intense, the insects so annoying, and the two rooms such close quarters that she and I suffered much more than I hope you or yours will ever know by experience.

My most acute agony arose from the publication and republica-

tion, in the Savannah *Republican* of the shackling scene in Mr. Davis's casemate, which to think of stops my heart's vibration. It was piteous to hear the little children pray at their grace, "That the Lord would give father something which he could eat, and keep him strong, and bring him back to us with his good senses, to his little children, for Christ's sake;" and nearly every day, during the hardest and bitterest of his imprisonment, our little child Maggie had to quit the table to dry her tears after this grace, which was of her own composition.

I believe I should have lost my senses if these severities had been persevered in, for I could neither eat nor sleep for a week; but the information of the change effected by your advice, relieved me; and I have thanked God nightly for your brave humanity.

Though I ate, slept, and lived in my room, rarely or never going out in the day, and only walking out late at night, with Robert for protection, I could not keep my little ones so closely confined. Little Jeff and Billy went out on the street to play, and there Jeff was constantly told that he was rich; that his father had "stolen eight millions," etc. Little two-year-old Billy was taught to sing, "We'll hang Jeff Davis on a sour apple-tree," by giving him a reward when he did so. The little thing finally told me one day, "You thinks I'se somebody; so is you; so is father; but you is not; so is not any of us but me. I am a Yankee every time." The rough soldiers, doubtless, meant to be kind, but such things wounded me to the quick. They took him and made him snatch apples off the stalls, if Robert lost sight of him for a moment.

Finally, two women from Maine contemplated whipping him, because they found out that he was his father's son; but a man took them off just in time to avoid a very painful scene to them as well as to me. These things went on in the street—I refer only to the street-teachings—as these women were, with one other, dishonorable exceptions to the ladies in the house.

Once, when our little boy Jeff had been most violently assailed by an officer's wife in the house, he came up with his face covered with tears after having stood silent during her abuse. I commended Jeff's gentlemanly conduct in making no reply; cautioned him against ever persecuting, or distressing a woman, or a fiend, if it took that shape, but made application the next day for permission to go away to Augusta; was refused, and then prepared the children to go where they would not see such people. . . .

Hourly scenes of violence were going on in the streets, and

not reported, between the blacks and whites, and I felt that the children's lives were not safe. During General ————'s régime, a negro sentinel levelled his gun at my little son to shoot him, for calling him "uncle." I could mourn with hope if my children lived, but what was to become of me if I was deprived of them? So I sent them off with many prayers and tears, but confident of the wisdom of the decision. On the ship I understood a man was very abusive in their hearing of Mr. Davis, when my faithful servant Robert inquired with great interest, "Then you tell me I am your equal? You put me alongside of you in everything?" The man said, "Certainly." "Then," said Robert, "take this from your equal," and knocked him down. The captain was appealed to, and upon a hearing of the case, justified Robert, and required an apology of the levelled leveller.

. . . As soon as the dear children were gone, I hoped with my little weak baby (you see I am very honest with you) to make my escape out of the country to them; but when, upon coming to Augusta—which General Steadman gave me leave to do immediately upon his accession to command, through the very kind intercession of General Brannen, who succeeded General Birge—I was informed by a gentleman, who said he had been told so authoritatively, that if I ever quitted the country for any possible object, I would—no matter what befell Mr. Davis—never be allowed to return; and then abandoned the intention.

My baby has grown fat and rosy as the "Glory of France," a rose which Mr. Davis recollects near the gate of our house.

Under the kind treatment I have received, the fine country air (five miles from Augusta), and the privacy, I have also grown much better; can sleep and eat, and begin to feel alive again with the frosty air, and loving words, and letters which meet me here as in Savannah.

The whole Southern country teems with homes the doors of which open wide to receive me; and the people are so loving, talk with such streaming eyes and broken voices of him who is so precious to them and to me, that I cannot realize I do not know them intimately. Mr. Davis should dismiss all fears for me. I only suffer for him. I do not meet a young man who fails to put himself at my disposal to go anywhere for me. I cannot pay a doctor's bill, or buy of an apothecary. "All things are added unto me."

If I have written too long a letter, my dear sir, it is because I have not collected my facts, but sought "*quid scribam, non quem ad modum.*"

VARINA DAVIS.

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis pp. 720-728.)

Fortress Monroe, Va., October 11, 1865.

. . . On the second of this month I was removed to a room on the second floor of a house built for officers' quarters. The dry air, good water, and a fire when requisite, have already improved my physical condition, and with increasing health all the disturbances due to a low vitality, it is to be expected, will disappear as rapidly as has been usual with me, after becoming convalescent. I am deeply indebted to my attending physician, who has been to me much more than that term usually conveys. In all my times of trouble, new evidences have been given me of God's merciful love.

. . . The *Herald* claims to give me regular information concerning my family, but if it did contain such news, as I only get occasionally a copy, the promise would be unfulfilled. . . . I have lately read the "Suffering Saviour," by the Reverend Dr. Krumacher, and was deeply impressed with the dignity, the sublime patience of the model of Christianity, as contrasted with the brutal vindictiveness of unregenerate man; and with the similitude of the portrait given of the Jews to the fierce prosecutions which pursued the Revolutionists after the restoration of the Stuarts. One is led to ask, Did Sir Henry Vane and the Duke of Argyle imitate the more than human virtue of our Saviour, or was their conduct the inspiration of a conscience void of offence in that whereof they were accused?

Misfortune should not depress us, as it is only crime which can degrade. Beyond this world there is a sure retreat for the oppressed; and posterity justifies the memory of those who fall unjustly. To our own purblind view there is much which is wrong, but to deny what is right is to question the wisdom of Providence or the existence of the mediatorial government. . . .

Every intelligent man knows that my office did not make me the custodian of public money, but such slanders impose on and serve to inflame the ignorant—the very ignorant—who don't know how public money was kept, and how drawn out of the hands of those who were responsible for it. My children, as they grow up and prove the pressure of poverty, must be taught the cause of it; and I trust they will feel as I have, when remembering the fact that my father was impoverished by his losses in the war of the Revolution.

Our injuries cease to be grievous in proportion as Christian

charity enables us to forgive those who trespass against us, and to pray for our enemies. I rejoice in the sweet sensitive nature of our little Maggie, but I would she could have been spared the knowledge which inspired her "grace," and the tears which followed its utterance. As none could share my suffering, and as those who loved me were powerless to diminish it, I greatly preferred that they should not know of it. Separated from my friends of this world, my Heavenly Father has drawn nearer to me. His goodness and my unworthiness are more sensibly felt, but this does not press me back, for the atoning Mediator is the way and His hand upholds me.

I hope the negroes' fidelity will be duly rewarded, and regret that we are not in a situation to aid and protect them. There is, I observe, a controversy which I regret as to allowing negroes to testify in court. From brother Joe, many years ago, I derived the opinion that they should then be made competent witnesses, the jury judging of their credibility; out of my opinion on that point, arose my difficulty with Mr. C———, and any doubt which might have existed in my mind was removed at that time. The change of relation diminishing protection, must increase the necessity. Truth only is consistent, and they must be acute and well trained, who can so combine as to make falsehood appear like truth when closely examined.

For, say, three months after I was imprisoned here, two hours consecutive sleep were never allowed me; more recently it has not been so bad, but it is still only broken sleep which I get at night, and by day my attention is distracted by the passing of the sentinels who are kept around me as well by day as by night. I have not sunk under my trials, and better than a fortnight ago, and trust I shall be sustained under any affliction which it may be required me to bear. My sight is affected, but less than I would have supposed if it had been foretold that a light was to be kept where I was to sleep, and that I was at short intervals to be aroused, and the expanded pupil thus frequently subjected to the glare of a lamp. . . . There is soon to be a change of the garrison here. I will be sorry to part from many of the officers, but as they are to go home I should rejoice for such as are entitled to my gratitude. *Au reste*, as I cannot control, so I may hope for the best.

I have not seen Jordan's critique, and am at a loss to know where that game was played and was lost by my interference. If the records are preserved they dispose summarily of his romances past, passing, and to come. The events were of a public character, and it is not possible for men to shift their

responsibility to another. Everyone who has acted must have made mistakes, and the best defence he can make to the public, and the only one beneficial to his conscience, if he has changed his theory, is to confess it; let him whose opinions are unchanged conform his action to changed circumstances, and both classes may preserve their integrity and live and work in harmony. Our life is spent in choosing between evils, and he would be most unwise who would refuse the comparative good thus to be obtained. History is ever repeating itself, but the influence of Christianity and letters has softened its harsher features. The wail of destitute women and children who were left on the shore of Cork after the treaty of Limerick, still rings in the ears of all who love right and hate oppression; but bad as was the treatment of the Irish then, those scenes of which you were reading not long before you left Richmond, enacted by Philip of Spain in the Low Countries, were worse. The unfortunate have always been deserted and betrayed; but did ever man have less to complain of when he had lost power to serve? The critics are noisy—perhaps they hope to enhance their wares by loud crying. The multitudes are silent, why should they speak to save him who hears best the words most secretly uttered? My own heart tells me the sympathy exists, that the prayers from the family hearth have not been hushed.

. . . John Mitchel has been released. He was permitted to take leave of me through the grates, and he offered to write to you. I have not seen our friend Clay for some time, not having been out to walk lately on account of a series of boils, or a carbuncle with a succession of points, which rose in my right armpit, and has prevented me from putting on my coat since the day I last wrote to you. I believe the disease is now at an end, and but for the rain I would have gone out to-day. I will comply with your repeated request for a description of my room, and hope the reality may be better than you have imagined the case to be. The room is about 18 x 20 feet; is situated at the corner in the second story of a long two-story house which stands under cover of the main parapet, and was built for officers' quarters. In the centre of the end wall, is a fireplace; in the centre of each of the other walls is a door. The one opposite to the fireplace opens into the room occupied by the officer of the guard for the day, the one on the south side looks out on a gallery which runs along the building, and, beyond, is a limited view of the interior of the fort; the one on the north side connects with a passage dividing the building. The doorway into the officer's room is closed by an iron grating, with locks on

his side of it, and, turning on hinge, affords the means of exit. The gallery door is closed by a fixed iron grating with glazed sash shutters outside. The passage doorway is closed by iron grating, and a panel shutter into which are inserted two panes of glass. Sentinels are no longer kept in the room I occupy. One sentinel only now walks back and forth along the gallery, one along the passage, and one in the officer's room, so as to give each of the three a view through his door of the interior of the room. They cause the broken sleep concerning which you ask. I have endeavored to overcome the distraction and annoyance this constant passing causes in the day, and to resist its disturbing effect at night; the success has not, however been commensurate with the effort. Formerly the circumstances were much worse; and before changes were made, a morbid condition had been produced so that wakefulness is continued by less than would have produced it. My bed stands in the corner of the walls of the gallery and officers' room; on the opposite corner is the water-bucket, basin and pitcher, and a folding screen which enables me to wash unobserved. On the gallery side of the chimney is a recess with a shelf for books, and pegs to hang up clothes. On the opposite side of the chimney, a closet. The bed is the common form of iron frame, two mattresses, sheets, blankets, and a cover with pillows and mosquito bar. Breakfast is sent to me about nine; dinner about four; and tea would be sent if I desired it. The food is suited to my condition, and I have had no occasion to ask for change or addition. The chair, though coarse, is so much better than the one I had before it, as to be comparatively satisfactory; a stand, such as is commonly used in hospital wards, serves me as a table, and for the present there is a stool which answers for a washstand. My clothes are not with me, except those in immediate use. My valise was taken charge of by General Miles. I have not seen it since. I much regret that you did not keep the things which had a value from association, instead of leaving them in the valise.

John Mitchel to Mrs. Jefferson Davis.[1]

(From Confederate Memorial Hall.)

Richmond 1st Nov. 1865.

Dear Mrs. Davis

As I was released from Fortress Monroe the day before yesterday, I think you may be pleased to have some account of matters

[1] Published on account of its historical value.

in that den. The three prisoners who have been so long confined there were never permitted to converse together, nor to see one another at all except when by some accident, in the course of our daily walks we met upon the rampart. But always surrounded by guards, so that we could at the most exchange a greeting, to inquire for one another's health. Before coming away however I asked and received permission to visit Mr. Davis and Mr. Clay. I was admitted into Mr. Clay's cell and remained there five or ten minutes. But on going from thence to Mr. Davis' quarters I was informed that I could only speak to him through the barred door, and hold no conversation except in presence of an officer. I could therefore do little more than shake him by the hand, ask for his health, and get from him your address in order that I might write to you, and give you such meagre information about him as I possess. On being confined at first the lot of all of us was rather hard, and especially the interdiction of books was a serious privation. It was no wonder that Mr. Davis soon began to fail in health. But the Doctor of the post on first visiting him at once recommended an entire change in some parts of his treatment. Meals were thenceforth sent to him from the hospital, properly served and of good quality. After a time, too, the restriction about reading was relaxed, and the library of the post was placed at his disposition; newspapers were also furnished to him from time to time, but newspapers carefully selected, with a view to their loyal principles, lest his mind should be corrupted by any hint of rebellious doctrines. All this however was a very considerable alleviation to his condition. About a month ago also, he was removed from the casemate and installed in a good dry room in "Carroll Hall," up stairs, so that he has good air, and is now on the whole as comfortably settled as any prisoner can well expect to be. His health improved, and I could observe the improvement as we met in our walks. The day before yesterday when I bade him good bye he was in morning *deshabille*, and looked haggard, but I assure you when he dresses to go out he looks as well, steps as firmly and holds his head as high as ever he did on Capitol Square. I have a very strong impression that he will not be long in confinement, and that he will not even be tried—but for the present a magnanimous public requires to be feasted with daily bulletins describing his suffering and humiliation. Dr. Craven told me I might inform Mr. Davis' friends that his health is at present pretty good.

Mr. Clay has suffered in health rather more, though he also is now living in Carroll Hall, and has all the same indulgences, as

to reading &c. It was only about ten days before my release that Mr. Clay and myself were removed from our casemates and placed in our new quarters,—but I was for a good while (two full months) treated with the extreme rigour of the first system —that is to say I was allowed no books and was furnished with very bad rations served usually without a plate, knife and fork or spoon. I understand that I was considered a "sullen" prisoner, and did not endear myself to our guardians by agreeable conversation. At last, however, I also was placed on the same footing with the others.

I have found my family well. I trust it will not be long before you also will welcome the head of your house. When that does happen you will find him not much worn in body, and not one whit bowed down in spirit. I beg you, dear Madam, to believe in the earnest sincerity with which I feel for your trials and for his.

Very respectfully your friend,

JOHN MITCHELL.

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis pp. 728-729.)

Fortress Monroe, Va., November 3, 1865.

. . . . . .

I am sustained by a Power I know not of. The Protector of the fatherless and the widow, I am permitted to hope, hears your prayer. Your trust that the Son of the righteous will not be forsaken has also been to me the suggestion of comfort. When Franklin was brought before the privy council of George III., and a time-serving courtier heaped the grossest indignities upon him, he bore them with composure, and afterward attributed his ability to do so to the consciousness of innocence in the acts for which he was reviled. . . . I have no means of communicating with any one but you, and, as I understand the orders, all communications to you must pass through Washington, and be viséed.

. . . What, under Providence, may be in store for us I have no ability to foresee. I have tried to do my duty to my fellowmen, and while my penitent prayers are offered to our Heavenly Father for forgiveness of the sins committed against Him, I have the sustaining belief that He is full of mercy; and knowing my inmost heart, will acquit me where man, blind man seeks to

condemn. From our mediating Saviour I humbly trust to receive support, and, whatever may befall me in this world, to have justice dictated by Divine Wisdom and tempered with Divine mercy in the next.

Kiss dear little Winnie for me, and, as she grows, teach her how her father loved her when she was too young to remember. Try to make my thanks to Mr. Schley and the ladies equal to my gratitude. . . . My faith tells me that our merciful Father will give us whatever it is expedient we should have. . . .

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis pp. 729-731.)

Fortress Monroe, November 21, 1865.

To make the best of the existing condition is alike required by patriotism and practical sense. The negro is unquestionably to be at last the victim; because, when brought into conflict, the inferior race must be overborne; but it is possible to defer the conflict and to preserve a part of the kind relations heretofore existing between the races, when a life-long common interest united them. The object is worthy all the effort. To be successful, the policy must be as far removed from the conservatism that rejects everything new, as from the idealism which would retain nothing which is old. If catch-words determine who shall mould the institutions and administer the affairs of the Southern States—the deluge. Though neither a spectator nor an actor, a life spent more in the service of my country than in that of my family, leaves me now unable to disengage myself from the consideration of public interests. . . . The best source of patience is the assurance that the world is governed by infinite wisdom, and that He who rules only permits injustice for some counterbalancing good of which the sufferer cannot judge.

I yielded to your renewed request, and wrote minute description of my room, its furniture the beats of the sentinels, etc.; that part of my letter was objected to and was rewritten accordingly. Let me renew the caution against believing the statements of correspondents in regard to me. To calumniate a state prisoner and thus either gratify or excite hatred against him, is an old device, and never was a fairer opportunity presented to do so without the fear of contradiction than is offered in my case.

November 22d. It is six months since we parted, and I know

no more of the purpose in regard to me than I did then. Measured by painful anxiety for you and your helpless charge, these months are to me many, many years. From the anguish and doubly painful trial, because I could learn nothing of you, I have extracted the consolation of increased pride and fully sustained confidence. . . . I do take care of my health; all the motives you enumerate are ever before me; and others, of which you are less apt to think furnish me the strongest inducements to desire life and strength to vindicate my conduct, at least to posterity, and for my family. Be hopeful—trust in "the faithful Promiser." Let us with faith and charity look out for a better morrow. . . . Shut out from the ever-changing world, I live in the past with a vividness only thus to be accounted for. . . .

William B. Reid to Jefferson Davis.

(From Manuscripts Division, Library of Congress.)

Philadelphia Nov 4th 1865.

My dear Sir

I observe in the news papers that the restrictions on corresponding with you have been to a certain extent removed, and I avail myself of this to say to you without parade and in a sincere desire that no publicity shall be given to the discharge of a professional duty, that if, in any way, I can be of use to you, I am entirely at your service. I desire you to consider me in that class of professional men at the North who have tendered their aid to one who, in his hour of calamity deserves the sympathy and assistance of the profession whose duty it is to protect those who are in a measure helpless. This offer would have been made long ago, had I not feared that the motive which prompts it might be misconstrued. Nothing, believe me, will give me more pleasure than to aid you

I am with sincere respect
Yr friend and servant
WILLIAM D. REID.

To the Hon
Jefferson Davis
Fortress Monroe
(forwarded to the Atty. Gens. office and by it (as I think) to the Secretary of War.)

Jefferson Davis to William B. Reid.

(From Manuscripts Division, Library of Congress.)

Fortress Monroe Va
26th Nov. 1865

My dear Sir

Having received a special permission to answer your's of the 4th inst I have the honor gratefully to accept the kind offer you so kindly made in that communication. The restrictions theretofore imposed in regard to correspondence have not been removed, as you had been led to suppose; and this must be sent open through the Commanding General at this place.

No information has been furnished to me as to the charge on which it is proposed to prosecute me; it may be it has been given to Mr O'Conor who was recognised as my counsel in the early part of last summer, and to whom, if it be agreeable to you, I will refer you.

If it be true as recently stated in some of the newspapers that the relation which a citizen bears to his State and to the general government is to be fixed by my trial; then it is fortunate not for me only, but also for a cause so much more important than any individual who may be made to represent it, that I should have the aid of one who has so thoroughly investigated and exhaustively discussed the question as yourself.

Lest you may suppose this reply has been too long delayed, I will state that immediately on the receipt of your letter, I asked for permission to answer it, and after so long a time had elapsed that I concluded the request would not be granted, I wrote to the Attorney General of the U. S. requesting him to acknowledge your letter for me and state the reason why I had not done so.

With sincere esteem & regard, I am
your friend

Jeffn Davis

Mr. W. B. Reid Phila.

Addressed to me in Mr. Davis' writing and "Politeness of U. S. Atty. General," sealed and posted by Mr Speed, Rec'd Dec. 1

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis pp. 732-740.)

Fortress Monroe, Va., December 7, 1865.

I am deeply impressed by the kindness of the Bishop, and that of the priests who have so nobly shown their readiness to do their Master's work in relieving the afflicted and protecting the fatherless. They have sent thus the sweetest solace to one in the condition of Him, who went down from Jerusalem to Jericho. I feel with you, that God has been very good to us . . .

Reagan I knew to be a true-hearted, consistent man, and I never gave the least heed to the newspaper reports which attributed to him participation in censorious remarks against me during his confinement at Fort Warren. Some men I had to trust because of the confidence others had in them. When disaster fell upon me their desertion did not surprise me.

I recently saw that Davis had been arrested; also, that a general petition for his release has been gotten up in North Carolina, which it was expected would be effectual. The proverb in relation to the desire of misery for companionship is not realized by me in this matter of imprisonment. I would that, like one of old, it were for me to say, I alone am left. To me —as it must to you—it is sometimes a puzzle to find the rule of discrimination. In such a situation, Hume's balance is peculiarly to be sought. . . . As natural rights belong only to those who can maintain them, so natural affections and excitements are only safe to those who are not unnaturally restrained.

I have been reading "Thoughts on Personal Religion," by Dr. Goulburn. His instructions as to prayer have impressed me particularly. How like is the experience of men. It is no small encouragement to a sinner striving for a better state, to find that those who have, at least in the world's estimation, won the crown of glory, had passed through such tribulation as he is beset with. Did it never occur to you how much evil is done by the use of a text startling in its terms, and so iterated and reiterated that any explanation of its meaning by reference to other texts bearing on the same subject is lost? It occurred to me, after last writing to you, that something of that kind might have happened to you in regard to forgiveness; and I regretted not having pointed out the illustration of his meaning which our Saviour gave in the parable of the King who took an account of his servants. When we shall pass into the

future state of pure intelligence, so as to judge not by external signs but by the inner motives, how different men will appear to each other from the estimates of their carnal life! May it not be that we shall then find our most earnest efforts at self-examination brought us but to a poor knowledge of ourselves?

Though my prison life does not give me the quiet of solitude, its isolation as to intercourse affords abundant opportunity for turning the thoughts inward; and, if my self-love, not to say sense of justice, would have resisted the reckless abuse of my enemies, I am humbled by your unmerited praise. It teaches me what I ought to be, and lifts my eyes to Him whose all-sufficient grace alone can raise me to your ideal standard. With the communion of the Church, I am not alone, nor without remembrance that the burthen is not permitted to exceed the strength. I live and hope.

The "heavy erasures" concerning which you inquire, assuming that they were made by me, as the Attorney-General had politely informed you that he did not do it, were not by my choice. To your repeated requests to be informed as to my room, my clothes, and the change of garrison as affecting me, I replied in the letter to which you refer. Two leaves containing answers to the two first questions were returned to me as matter which would not be forwarded, and they were rewritten omitting the answers described. Subsequently my attention was called to a sentence on another page, responding to your inquiry about the new garrison, and stating a consequent alteration in the matter of sentinels, which I was required to obliterate. I drew the pen through it and sent it back. General Miles afterward told me that it had still been legible as I left it, and added something not distinctly heard beyond the point of main interest, that the letter had been sent.

My incarceration followed four years of terrible war. The North put forth its whole capacity on land and sea, by ball and bayonet, striving to retain the South in one Government with it; the South strained every nerve to maintain a separate existence. By the newspaper, to-day, I see that the North, as represented in Congress, stands quite united to keep the South *out* of the legislative halls of the Union, and the South, wistfully looking at the closed entrance, stands outside—and then she is told she has all the time been inside. . . .

The ways of Him who doeth all things well are inscrutable to man. Let us learn to say, "not mine but Thy will be done." The bitterness which caused me to be so persistently slandered, has created a sentiment which will probably find vent in Con-

gressional speeches, and test all your Christian fortitude. Remember that the end is not yet. A fair inquiry will show how "false witnesses have risen up against me and laid to my charge things that I knew not of." If you will recall the very early period when I was warned by letter that an emissary had been sent to Montgomery to assassinate me, you will see misconception of my position and a cruel desire for my destruction are not new-born. When the truth is revealed, the more honorable and manly of my enemies will recoil from further association with the others. Truth and the common sense of justice will generally protect the innocent, where the trial is according to the due course of law, and is sure to vindicate the memory of a victim. . . . There is an unseen hand which upholds me, save when my thoughts are concentrated on the objects of my dearest love and greatest solicitude. Perhaps He will give me that strength hereafter. In the many friends He has raised up for you, there is the promise of that peace to come. . . .

December 8th. Another day has succeeded the night. The sun has risen bright, and the cold bracing air invites animal life to activity. To me there is the same monotonous round of prisoner's life in military confinement, such as is not known to the usages of war in cases like mine. I am, however, thankful for the power to bear, and trustful that the power will be given me to bear in patience. In a former letter I mentioned to you that the trunk you had sent with clothes had arrived. I notice that the shirts are new, *and it excites the inquiry whether you have been robbed of those which you took with your baggage when you left me in Richmond.* . . . If the field where the events of Jordan's intrigue occurred was near to Drury's Bluff, Colonel Melton knows how my designs were frustrated, and how little the promise accorded with the action on the unwise plan substituted for mine. A letter to Mr. Seddon put it beyond the power of anyone to falsify that affair. It was sent by General Beauregard the day before he undertook the execution of his own plan, to account for the change he made, and from which, when it failed, he endeavored to escape by blaming Whiting and Ransom. . . .

After faithful self-examination it is permitted to me to say, I have not done to others as they do unto me. There is no occasion, now, to make Frankensteins. Like ready-made clothing, they wait in abundance for customers. When Roberts grew angry with Byron, you know he charged him with being miserable because of a soul of which he could not get rid. The sentinel has stamped with such noise, back and forth, in front

of me, that until another and more quiet walker comes on, and I recover from the effect produced by the attempt to write under such difficulty, I will desist. . . .

Somebody writing from Augusta to the *Boston Advertiser,* makes an extraordinary statement about a letter said to have been written to someone in Columbus, by Mr. A. H. Stephens, immediately after the Hampton Roads conference—containing the assertion that terms not humiliating to the South could be obtained, but that I and my principal advisers did not want peace. Of course Mr. S. could not have said anything of the sort, as he had been twice employed to seek peace, and, on the last occasion, made a report, written and oral, showing that no negotiation would be entertained. *He was pressed to enlarge the written report by the addition of such conclusions and impressions as the confidential nature of a part of the conference would permit,* but though the two other commissioners appeared willing to do so, Mr. S. strongly objected, arguing that the bare recital of facts was the best presentation of the case to the public mind. Now, as it would have been dishonest to conceal from me such an opportunity as is described, and treacherous to the people to have given such an account as it was thought would most certainly lead them to the opposite conclusion, I take it that someone is slandering Mr. Stephens, and so publicly that even a philosopher might be moved to correct it. . . . There has been certainly much zeal displayed in the planting and cultivating of prejudice against me, but many of the stories are so absurd that it required a morbid state of opinion to receive them.

"Dobbin"[1] always was sterling; his father and his mother were pure gold. Tell him how gratefully I recognize his care for my children. . . . On the whole, it must be more comfortable to be the deceived than the deceiver. Sometimes I feel that there is a real compliment in the trust displayed by some of my slanderers, to whom it must occur that, with a single breath, I could topple over the miserable fabric. . . .

In the time when nations were ruled by arbitrary power, the Catholic priests stood between the despots and their victims, sublimely defying the race of one, and divinely bending to raise the other. From time to time the heroic spirit of that ancient line has been called forth, and in plague, pestilence, and famine, in the wilderness and on fields of blood, in the prison, on the scaffold, and among the deserted mourners, nobly have they maintained the glory of their order. . . .

[1] William Preston Johnston.

I would write more freely if I knew that the Attorney-General only inspected my letters; but, as I send them open and don't know how they are forwarded, and do know that objections have been made here to the contents of a letter enclosed to the Attorney-General, I conclude that they are read before they reach him, and may be stopped on the way.

Charles O'Conor to James M. Mason.[1]

(From Manuscripts Division, Library of Congress.)

New York, December 26th 1865

Dear Sir,

The refusal to permit access to counsel on pretence that though held only for civil trial, Mr. Davis was yet to be treated as a prisoner of war appeared to be so unreasonable that I have made no further applications to the departments.

On the 3rd of November a letter was presented to the President himself, soliciting the release of Mr. Davis from *close* custody, and offering very sufficient guaranties that he would stand his trial. In reply to an inquiry from one of his own most intimate friends and associates made a month afterwards, the President stated orally that he had read my letter with much interest and had delivered it to the Attorney General.

As the letter was substantially an appeal from the departments to himself, his response could only be interpreted as a polite intimation that the appeal stood dismissed.

Mr. William B. Reed of Philadelphia has recently had a correspondence with Mr. Davis. I enclose copies.

Bills are before Congress to facilitate the conviction of Mr. Davis by enabling the government to place on the jury, persons having fixed prejudices, to try the case before some manageable judge of an inferior grade, and to do such other things as are thought needful to the desired end.

Charles O'Connor to J. M. Mason.

(From Library of Congress, Manuscripts Division.)

Dec. 26, 1865

Everything which, in ordinary cases, could be treated as a sign of coming events would indicate that a trial will be had

[1] Published on account of its historical value.

ere long; yet so little confidence seems due (in this matter to) signs or indications of any sort that I can scarcely form a conjecture on the subject.

About ten days ago Mr Stanton himself assured a relative of Mr Mallory, that that gentleman would be tried for treason in a civil court, "within thirty days", This was communicated to me on Saturday last. I immediately held with my informant a preliminary consultation touching the selection of Counsel and have arranged for a future interview at an early day with him and certain friends on the same subject. I stated to him that I would provide means to pay the Counsel who might be agreed upon.

It is a suggestive fact that after murdering poor Wirz by military commission, they should first try their newly to be created civil courts, upon the person of a subordinate officer before venturing to strike at "the head of the rebellion." It indicates the character of the men who conduct the assassination bureau at Washington.

Nothing further of interest has occurred, except what you have seen in print.

It is not necessary and might not be useful that I should express in this unsafe channel of communication either a choice or my real expectations, as to their course in beginning with Mr. Davis or Mr. Mallory.

I am Dear Sir
Yours truly,
CH. O'CONOR

Hon
J. M. Mason

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis pp. 741-742.)

Fortress Monroe, Va., January 16, 1866.

I had feared that our negroes would be disturbed by the introduction of others among them, but could not have imagined that they would be driven away from their home by those pretending to be their especial advocates. What a beast he must have been who turned old Uncle Bob out of his house, to find where he could a shelter for the infirmities of more than a hundred winters. That claim was manifest. Of the truth, fidelity,

the piety which had so long secured him the respect of all who knew him, a stranger might plead ignorance. . . .

17th. I have been suffering from neuralgia in the head, and the usual effect upon the eyes causes me to write at intervals. Indeed, considering the circumstances, it is rather to be wondered at that I am not worse. Once a day it is still permitted to me to walk in the open air; and, though the time is brief, the result is beneficial. . . .

18th. The gifts with which men are divinely endowed are various, and the requirements of the Lord are never beyond the range of possibility; for He knows our infirmities and judges of our motives. These man cannot know, and it is therefore forbidden to judge. We hope and pray for God's forgiveness on the ground of true repentance, and as we cannot tell, in the case of those who trespass against us, whether the repentance is true or feigned, we are bound to accept the seeming. This is possible, but is not easy for virtue far short of the God-like or saintly examples of the Redeemer, the first Christian Martyr. . . .

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis pp. 742-745.)

Fortress Monroe, Va., January 24, 1866.

Judge Campbell, I have been told, wrote a full account of the interview with Mr. Lincoln and Mr. Seward, and that it has been published in the Northern papers. Mr. Hunter promised me to write such a statement. The stories told of Mr. Stephens are improbable, because the meanest capacity must perceive *that my powers and duties rested on the organization made by the Southern States, and that it would have been treasonable usurpation to attempt to destroy the organization by the exercise of functions given to maintain it.* When the Continental Congress sent Commissioners to meet Lord Howe, who had announced himself as empowered to treat for the adjustment of the controversy between the States and Great Britain, the Commissioners, on learning that the basis must be a return to allegiance, informed his Lordship that the Colonies having declared their independence, it was not competent for the Congress to return them to a state of dependence. In both cases, there was an obvious mode, but it was adopted in neither, viz.,

to suspend hostilities and submit propositions to be laid before the States. Judge Campbell made an inquiry which opened, and received an answer which closed, that view. *I suppose it is narrated in his statement.* Excluded from an opportunity to reply, slanders have worked without check, and have no doubt deceived many. Again, any dolt whose blunders necessitated frequent conviction, and whose vanity sought for someone on whom to lay the responsibility of his failures, could readily, and if mean enough would *now,* ascribe them to me. Things done against my known views, and of which explanations were written to me when success was expected to result from the change of plan, have lately been attributed to my orders. Beauregard, Hood, Hardee, and Cobb know of a case in point, memorable by its consequences. Generals Lee and Bragg could give the history of the two largest armies. . . . I never sought to make up my own record, intent on the discharge of my duties in the various public positions I have held. If the question had occurred to me, how will this be told hereafter? I would have preferred to leave that task to others. Nor is the hazard great, for the dependence of the parts of a whole will generally correct the perversions of recital by interested narrators.

That power to compare and sift testimony is as necessary to a historian as to an attorney, and I hope the faculty will be put in exercise proportionate to the field our time has offered.

The New York paper containing an account of the interview between the South Carolina committee and President Johnson, was handed to me soon after its publication. I did not credit the statement, because I was sure you had not in such correspondence given expression to your personal feeling.

To all the trials, mental and physical, to which I am subjected, I will oppose all the moral power I possess, that my life may be prolonged as far as such drains will permit, and my power to meet any future ordeal be as great as possible to me.

Mr. Clay, like myself, no doubt, suffers from food unsuited to him, and to anyone in close confinement, even were it good, I think it would soon become so. . . .

Bowed down by anxiety for my family, suffering from neuralgia and dyspepsia, covered by the dusky cloud of falsehood and injustice, I am supported by the conscious rectitude of my course, and humbly acknowledging my many and grievous sins against God, can confidently look to His righteous judgment for vindication in the matters whereof I am accused by man. . . .

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis pp. 745-747.)

Fortress Monroe, January 28, 1866.

. . . . . .

Did you ever hear that Colonel MacCrea refused to dine with the Duke of Wellington? He, of course, gave no reason on that occasion, but it was well understood to be on account of the treatment received by Napoleon after his surrender.

It is not long since a newspaper paragraphist would have been rebuked by public opinion if he had attempted, by epithets and one-sided statements, to inflame the mind of his readers against a prisoner waiting a trial; but that would have been a small offence compared with that of a law-maker who would seek to produce the effect, and then, by retrospective legislation, to bring it to bear upon an anticipated trial by endowing such prejudiced minds with the power to judge. The minor objections growing out of the official character of the person, which, if alone, would be great, are hidden by the magnitude of the offence of uttering such libellous assertion under the circumstances which he knew surrounded me. That his authority was not called for, that he was not scoffed by the multitude as the home-bred sentiment of fair play demanded, shows you how deep-seated the disease has become.

The same conclusion as to your course is reached by every line of thought. Trying as it may be, you will have to make the effort to leave me, for the present, out of all your plans; and may our Heavenly Father strengthen your heart for the difficult task of filling the place of both parents to our children. Tarry thou the Lord's pleasure, and let us always remember that all He does is right, and that hereafter it will be given to us to comprehend His ways and say all was well. . . .

29th. . . . Oh, that the law-makers had facts instead of suggestions on which to base their action in regard to the Southern States. . . . Fear not what man can do, it is God disposes. Now I am shut up and slander runs riot to destroy my fair repute, but any investigation must redeem my character and leave it for an inheritance to my children, which in after-times they will not be the worse for possessing. The treatment I have received will be compared with my treatment of others, and it will be the reverse of the picture my enemies have drawn. Conscious rectitude is a great support to the sufferer, whatever may be the form or the end of the afflictions.

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis 747-749.)

Fortress Monroe, Va., February 3, 1866.

. . . Men turn to the judgment of posterity for the reversal of the decree of their contemporaries, appealing with the self-sustaining hope of conscious rectitude, from "Philip drunk to Philip sober." . . .

The newspapers will have informed you of the petition in my behalf by seven thousand ladies of Richmond and vicinity. It was not ineffectual, it refreshed my burdened heart as the shower revives a parched field.

I have just heard that Mr. Cass is dying, and regret it as well on account of my kind feeling for him and the respect which his amiable character commanded, as because he was one of those on whom I felt I could rely to vindicate my character from some of the accusations made against me. After Mr. Crittenden, there was no one to whom I talked so much and so freely concerning the sectional troubles in 1860-61. With Mr. Crittenden I daily conferred when we served on the compromise committee in that winter, the record of which shows who it was who opposed every effort at accommodation.

Like you, I feel sorry for the negroes. What has been done would gradually and measurably be corrected by the operation of the ordinary laws governing the relation of labor to capital, if they were let alone. But interference by those who have a theory to maintain by the manufacture of facts, must result in evil, evil only and continually. . . .

At every renewal of the assertion that the Southern people hate the negroes, my surprise is renewed; but a hostility, not now or heretofore existing, between the races may be engendered by just such influences as are indicated. . . .

On the night of the 13th I was sitting before the fire, because I could not sleep, and had a startling optical illusion, such you know as were common to me in fever; but to my vision, I saw little Pollie [1] walk across the floor and kneel down between me and the fire in the attitude of prayer. I moved from consequent excitement and the sweet vision melted away. I have not called it a dream, because not conscious of being asleep, but sleep has many stages, and that only is perfect sleep which we call Death.

[1] The name of a sister Mr. Davis loved and applied as an endearment to little Maggie his daughter.

To use your expressive phrase, I am hungry for the children's little faces, and have habitually to resist the power of tender feelings which may not be gratified. . . . To look only to those hopes of which man cannot deprive me, and to such relief as a record may afford, in the event to which my enemies refer as a means, not of learning the truth and doing justice, but of condemnation and punishment.

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis pp. 750-751.)

Fortress Monroe, Va., February 17, 1866.

. . . . . .

19th day. Mrs. Clay, after her return to Washington, sent me a coffee-pot, to enable me to make coffee for myself. Dr. Cooper came and gave me full instructions as to its use, making very good coffee as a part of the lecture. I have followed directions not with the best success; indeed, I am led to doubt whether cooking was designed to be my vocation. . . . My eyes do not suffer much from inflamation; but the neuralgia of the head sometimes renders me almost blind during the paroxysm. I recollect Frederick Maginnis very well; first met him at Manassas, and had a very favorable opinion of him.

The "Quadrilateral" was handed to me and I soon found, what was not told, that it had been sent by you. The writer has attempted the very difficult task of portraying the inconsistencies of human nature. Sir Walter Scott alone has succeeded in doing it. We have as much in real life as anyone can need, and in fiction we might be treated to pictures harmonized in coloring. The disclosure of Ida's secret, *and the slaughter of prisoners who had laid down their arms, could not have been done by one as true and generous and brave as the hero is represented.* The horse is the best character in the book, as I measure them. Do you recollect "Old Duke" the horse I rode in the Pawnee campaign? He might have stood for the portrait, except that even in extreme age he was not gentle. . . .

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis pp. 751-753.)

Fortress Monroe, Va., March 13, 1866.

. . . . . .

Your reception at Macon was such as I anticipated from my own experience, and it is so much the more valuable because

those friends have little demonstrativeness and no insincerity. The kind manifestations mentioned by you as made by the negro servants, are not less touching than those of more cultivated people. I liked them, and am gratified by their friendly remembrance. Whatever may be the result of the present experiment, the former relation of the races was one which could only incite to harshness a very brutal nature.

I hope the reports of growing despondence, because of political action leading to organizations for expatriation, have been exaggerated. All cannot go, and those who must stay will need the help of all who can go away. *The night may seem long, but it is the part of fidelity to watch and wait for morning.*

Warned by a sad experience against such calculations as would make hope sanguine and expectation swift, I will yet hope, though in patience, and strive to find adequate protection beneath the shield of the conviction that all things are ordered in wisdom and mercy and love, that I may fully feel, "Even so, Father, for it is Thy will."

. . . In all the affairs of life we are reduced to choosing between evils, every situation having its disadvantages. You recollect the instructive satire of Horace on the desire for change, etc.

Remember me most affectionately to Ma. Tell her that the old one hit Le Roy at last, but that his faith held out and he never cried "quarter."

If my letter seems disjointed and obscure, do not infer any physical ill as the cause. The tramping and creaking of the sentinel's boots disturb me so as to render it difficult to write at all. . . .

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis p. 753.)

Fortress Monroe, March 22, 1866.

. . . . . .

I am in the condition to give the highest value to quiet, it being the thing never allowed to me by day or night. . . .

The spring is slowly appearing and, as well as the calendar, reminds me of the many months during which I have been closely confined without any legal proceeding, or even informal notice of the charges and evidence on which I am held as a "state prisoner." So I strive to possess my soul in patience, and by every means attainable to preserve my health against

undermining circumstances. The officers of the guard treat me with all the consideration compatible with their position.

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis pp. 753-754.)

Fortress Monroe, Va., April 8, 1866.

. . . Next to the consciousness of rectitude, it is to me the greatest of earthly consolations to know that those for whom I acted and suffer, approve and sympathize. It is common in cases of public calamity, for those who feel the infliction, to seek for some object on which to throw the blame, and rarely has it happened that the selection has been justly or generously made. . . .

I feel deeply indebted to Dr. Craven and the ladies of his family for a benevolence which had much to suppress, and nothing selfish to excite, it, and but for which my captivity would soon have ended in death.

The letter from my little Polly is a sweet, graceful image of her honest, affectionate heart. I am sure she will be a comfort and honor to her family in after-years. . . .

Jefferson Davis to Mrs. Davis.

(From Jefferson Davis by Mrs. Davis 754-755.)

Fortress Monroe, April 21, 1866.

. . . The young soldier who saw you in the cars at Binghamton reported the interview, and described how bright and wide-awake little Winnie was. It was a great pleasure to me to hear an eye-witness.

The weather is quite warm, the earth is clothed in her bright robes of promise, the birds sings joyously, and I will not, like the "Bard of Avon," complain that they are so tuneful while "I so weary fu' o' care." Though not the voice I long to hear, I draw from it the pleasure it was designed to give by the bounteous Creator, who did not mean that man's happiness should be at the mercy of man, and therefore formed him for companionship with nature, and endowed his soul with capacity to feed on hopes which live beyond this fleeting life. . . .

. . . Often has it occurred in the world's history that fidelity has been treated as a crime, and true faith punished as treason. So it cannot be before the Judge to whom all hearts are open,

from whom no secrets are hid. Dr. Cooper has just been here to visit me, he says all which is needful for me is air and exercise. It was the want which Cowper's bird had, and hardly had bird more usually sought for air and motion than I did when I had Byron's "Heritage of Woe." But I am not of Cato's creed, and do not hold that it is man's wisdom to equal the swallow, but man's dignity to bear up against trials under which the lower animals would sink. Resolution of will may not, according to Father Timon, prolong indefinitely our earthly existence, but it will do much to sustain the tottering machine beyond the observer's calculation. . . .

23d. You can imagine how one, shut out from all direct communication with his friends, dwells upon every shadow and longs for light.

Yesterday my walk was extended to two hours, and I hope for the continuance of the extension, as the good doctor has urged the necessity for more air and exercise.

Geo. E. Cooper[1] *to Mrs. Jefferson Davis.*
(From Confederate Memorial Hall.)

Fort Monroe, Va., May 23d, 1866.

Madam,

I am in receipt of your communication of date in which you ask of me "how the health of your husband can be recruited, as you see him growing weaker and sinking daily."

I have done all in my power to keep his health up, but I must own I see him becoming more and more weak day by day. He has been well cared for in the matter of food; the tramp of the sentinels he no longer hears. He has exercise one hour in the morning and as much as he wishes for after four in the afternoon.

Notwithstanding he fails and the only thing left is to give him mental and bodily rest and exercise at will.

This can be only by having the Parole of the Fort with permission to remain with his family now residing there.

He will then probably recuperate.

Your Obet. Svt.
Geo. E. Cooper,
Surgeon U. S. A.

Mrs. Varina Davis,
Fort Monroe, Va.

endorsed: Dr. Cooper; May 23, 1866; on health of Mr. Davis.

[1] Physician at Fort Monroe.

Jefferson Davis to Emily V. Mason.[1]

(From Mississippi Department of Archives and History.)

Fortress Monroe, Va.
Miss Emily V. Mason 4th July, 1866.

Your ancestors live in the memory of their countrymen for their resistance to the dogma of the divine right of kings; you will be gratefully remembered for obedience to the commandments of your Divine Master, in this that you visited his children when sick and in prison, relieved the needy and comforted the afflicted.

Very gratefully and truly your friend
JEFFERSON DAVIS

Mrs. Jefferson Davis to Reverdy Johnson.

Fortress Monroe, Va.
My dear Mr. Johnson: July 19, 1866.

You will acknowledge that I have not been importunate about Mr. Davis' liberties. I have been supinely looking on at his steady decline and hoping against hope—but now even the surg here sees that he is rapidly failing—In more than the spiritual sense it can be said that man cannot live by bread alone. Still has he been weakened by disturbed sleep—Less disturbed than it formerly was, but he is weaker, and more nervous—Now his fevers return daily—and he is so patient so uncomplaining—so entirely quiescent in this death in life—It breaks my heart—Could the President be induced to parole him until his trial? If not will you follow up my letter to him with entreaties that Mr. Davis may be given the *entire* parole of the Fort to which he may be removed, and that he be removed immediately to some of the Forts in New York Harbor where he can see his counsel—My dear Mr. Johnson I may say to you who know I am not one who cares to display sacred feelings to effect an object, that when I look at the Husband of my Youth, now beatified by such holy resignation, slowly dying away from his little ones to whom I could offer no higher example, or better guide that I feel it is a bitter cup, and doubt if my Father wills that we should drink it. I would not trouble the President with another perplexity if Death would wait upon expediency—but I feel assured that a months, perhaps less delay will be fatal. I came here in health, have been prudent and previously

[1] To Miss Emily Virginia Mason, while on a visit to President and Mrs. Davis, 4th July, 1866.

had been exposed to every variety of miasmatic influence yet for fifteen years I have not suffered a chill until now—and I have had two—and am still confined to my room. How then can a man reduced to a shadow with a predisposition to malarial influences resist them here—

With a hope founded upon the Presidents courage and kindness and your efforts assisted by Mr. McCullough, I shall wait, not as one who has lost all until I hear from you.

Affectionately your friend,

VARINA DAVIS.

B. G. Wilkins to Jefferson Davis.

(From Confederate Memorial Hall.)

B. G. Wilkins, paroled prisoner of war, Private Marion Battery, Loring's Division, Stewart's Corps (late) Army of Tennessee, presents his respectful compliments to Mr. Davis and begs His Excellency's acceptance of 3 Bottles Cognac and 1 Bottle of Vinegar, each excellent of its kind having been sent Mr. Wilkins direct from Bordeaux by his venerable friend Monsieur Nartigue, a proprietor of high consideration in that vicinage.

Mr. Wilkins regrets that circumstances have prevented his making a more worthy offering. But he avails of the occasion to assure His Excellency of the profound sympathy of his countrymen in this his dark hour of trial and sorrow, and of their unceasing prayers to Our Heavenly Father that "you may be saved from your enemies and from the hand of all that hate you."

Thus writing he prays God to have you in His Holy Keeping.

Charleston Aug. 15/66.

The honourable Jefferson Davis Esq. L.L.D.

Gerrit Smith[1] *to Andrew Johnson.*

(From Confederate Memorial Hall.)

President Johnson, Peterboro N. Y. August 24, 1866.

Honored Sir,

I have this day subscribed a memorial to yourself in behalf of Jefferson Davis. I have done so with great satisfaction—for

[1] Smith, Gerrit (1797-1874), reformer and philanthropist, was born at Utica, N. Y., March 6, 1797, and was graduated at Hamilton College in 1818. His father left him a large estate. For a time he acted with the

I deem his very long confinement in prison without a trial an insult to the South, a very deep injustice to himself, and a no less deep dishonor to the Government and the country.

I trust that Mr. Davis may either have a speedy trial, or be admitted to bail. There are many men, who have no sympathy with his political views, and who opposed Slavery as strenuously as he upheld it, that would eagerly become his bail. I am one of them. Your obedient servant,

GERRIT SMITH.

J. C. Pemberton to Jefferson Davis.

(From Confederate Museum.)

Near Warrenton, Fauquier Co., Va.
August 28th, /66.

My dear Sir—

A day or two since I had the pleasure of meeting the Reverend Mr. Barton who informed me that if I entrusted a letter to him, he would deliver it in person—Although I do not design to say anything which the most rigid official could take exception to, it is not the less pleasant to know that your friends can address you without the intervention of such persons, and convey to you the assurance of their respectful regard and sympathy—

I hope and believe, it is unnecessary for me to say how frequently my thoughts have been with you, and how deeply I have felt the wrongs which have been done you. I can never forget the uniform kindness and consideration with which you honored me even to your own prejudices and which manifested itself most, when I was most under the ban—neither need I tell you how sincerely I have deplored the effect upon your health of the long and cruel incarceration you have suffered for our common cause; we can only hope that a speedy trial—which we know you earnestly desire, and which can only result to your high honor—may restore you to health and to such freedom as we now possess.

American Colonization Society, and then supported the Anti-Slavery Society. He contributed large sums to the Kansas Emigrant Aid Societies, and also gave pecuniary aid to John Brown but not as an incendiary. In 1858 he was a candidate for governor of New York on a prohibition and abolition ticket, receiving 5,446 votes. Mr. Smith established an independent church and set up a printing office of his own from which he issued many works. He was no vindictive reformer, and united with Horace Greeley and Commodore Vanderbilt in signing the bail bond of Jefferson Davis. He died in New York City, December 28, 1874. Consult O. B. Frothingham, Gerrit Smith, 381 pp., New York, 1878.

After the evacuation of Richmond, I made two efforts to join you: the first, whilst you were still at Danville; but the Fedl. Cavalry under Stoneman had destroyed a portion of the R. R. near High-bridge, and I was compelled to return to Salisbury, where I witnessed the capture of our last piece of Arty. and narrowly escaped the same fate myself—The second occasion was, on learning that you were in Charlotte, N. C., when I confidently hoped to have tendered my services in any way in which they might be useful; but I was again disappointed; for on reaching that place I found you had left the day previous. My horse had cast three shoes on the route from Newton, and the confusion consequent upon Johnston's surrender was so great, that I failed to get them replaced, though I made every exertion to do so. This apparently trivial obstacle alone, prevented me from endeavoring to overtake you to share your fortunes—After consultation with Genl. Cooper I returned to Newton, N. C. where I remained with my family until Feby. when, through my mother, I was enabled to purchase a small farm of 200 acres near Warrenton, Va., where we are now striving against inexperience, and many adverse circumstances, to earn a frugal support—I do not regret the course I conscientiously took, and only lament the results as they affect our country and yourself—

Mrs. Davis has the heart-felt sympathies of my wife, as I believe she has of every noble lady in the land. Mrs. Pemberton unites with me in respectful regards which we beg you will present to her, and accept from both of us our earnest wishes for your own health and future happiness.

Most truly yr friend,

Hon. Jefferson Davis. (Signed) J. C. Pemberton.

Mrs. Jefferson Davis to Horace Greeley.[1]

(From New York Public Library.)

Private & confidential Fortress Monroe, Va.
Sep 2nd 1866.

My dear Mr. Greely,

May I come to you again in the bitterness of my sorrow, in the black uncertainty of our future, for light and help—For thirteen months I have prayed, and tried to cheerfully grope through the mist to find the end, and now it seems no nearer—I see my Husband patiently, uncomplainingly fading away, and cannot help him. Those who represent him as being well, and

[1] Published on account of its historical value.

about as strong as he used to be, stay a few moments, and are deceived by his spirited self controlled bearing. A slight illness would kill him, for he is patched up by the most excessive care both upon his part and mine. He does not gather strength but rather loses it. Our children are in need of my care and of that of their Father, yet in our present position I cannot bring them to him—and I am I confess not equal to the self sacrifice of leaving him for their sakes. I hoped much from the exposure of the suborned testimony against him, but it brought no fruits. And now I appeal to you who always sympathise with the weak to help me. Will *you not procure* signatures enough to that paper which Mr Shea has to arrest Mr Johnson's attention?

I cannot my dear kind Sir tell you all my sorrows growing out of this arbitrary imprisonment of my Husband—they are legion —but I have enlisted you I am sure when I say that I am utterly helpess, and well nigh broken hearted. If a nation's tears could wash out venom, then mine ought to have cleansed many a heart filled with the lust for vengeance—and for blood.

May God give you success, for I know you will labor to assist me—I am dear Sir,

Gratefully and most sincerely yours,
VARINA DAVIS.

Mrs. Jefferson Davis[1] *to Horace Greeley.*[2]

(From New York Public Library.)

Private Fortress Monroe Va.
My dear Mr. Greely, Oct. 16th 1866.

The information which the papers bring us to day of Mr. Johnson's decision with regard to my Husbands case, fills me

[1] Published on account of its historical value.

[2] Greeley, Horace (1811-1872), a journalist, was born at Amherst, N. H., February 3, 1811, received a common school education, and as a boy made up his mind to be a printer. Serving his apprenticeship in Vermont, he made his way to the city of New York in 1831. Ten years later he was able to establish there his "Tribune," his chief assistant being Henry G. Raymond, who was soon to found his own paper, "The Times." First Whig; then anti-slavery Whig, then Republican, the Tribune's political course was aggressive and popular. But the paper was the editor, Horace Greeley, and was not for party and nothing else. Greeley dreaded civil war and believed that the South should not be forced to remain in the Union, but when the war began, he urged the most rigorous prosecution of it. In 1864, at his own suggestion, he was sent by Mr. Lincoln to Canada to discuss peace terms with Confederate Commissioners. After the war his action in signing Mr. Davis's bail bond raised what is called a stormy criticism. He supported President Grant, but not enthusiastically. His nomination and campaign for the presidency in 1872 form an interesting chapter in our history. He died at Pleasantville, N. Y., November 29,

with anxiety. It seems to promise so long a postponement of his trial as to extend the time of his durance to more than two years. Can you do nothing to help me—I have come to look upon you my dear Sir, as one who would gladly lighten my burthen if it were in your power. Does not this reference of the case to the Judiciary place it within your power to assist us. Mr Davis is greatly exhausted, greatly changed by the unparalelled deprivations through which he lingered so long in the first year of his imprisonment, and these have reduced his strength so very greatly that I am satisfied this impending postponement will destroy him—and then what is before me and my little helpless children I am unwilling to contemplate. Will you not dear Sir do all in your power to secure his early release? Please write to me what you think can be done. I have been now fifteen months separated from my children, all babies in years—and must continue to be so as long as their father languishes here as his claims are first upon me. Can you not accomplish something for our relief. Will you not? I shall await your answer with the greatest anxiety, and am

Very sincerely yours—
VARINA DAVIS.

C. E. Hooker[1] *to Jefferson Davis.*

(From Confederate Museum.)

Jackson, Mississippi.
Nov. 6th, 1866.

My dear Sir:

I avail myself of the visit of your neice, Mrs. Stamps, to write you. I suppose it not incompatible with the terms of your parole, to receive letters from your friends, tho' we have understood that you are not allowed to write.

It may possibly be grattifying to you to know, that your

1872. Consult F. N. Zabriskie: Horace Greeley, the Editor, 398 pp., New York, 1890.

[1] Hooker, Charles Edward (1825-1914), soldier and politician, was born in Union District, S. C., in 1825, and finished his education at the Harvard Law School in 1846. He settled for practice at Jackson, Miss.; was elected to the legislature in 1859; resigned to enter the Confederate army; was made colonel of cavalry; was wounded at the sieg of Vicksburg, and then served as a member of the military court attached to General Polk's command. He was elected attorney general of Mississippi in 1865 but was removed from office in 1868 by the military authorities in charge. He was a member of the national House of Representatives, 1875-1883, 1887-1895 and 1901-1903. He died in 1914.

friends (at an early day after the Surrender) opened communication with the Government, for the purpose of tendering counsel from your own state to represent you, in any trial which the Government might order in your case.

No definite answer was ever Received on this subject; and when it was thought that your trial would certainly occur, at the first sitting of the Federal Court in Richmond, we were relieved to find you surrounded by the first legal talent of the country, ensuring you, before any legal tribunal a fair and impartial trial; and this we knew was all that you desired. It is still our wish, that you should be represented by one or two members of the Bar from your own state, if agreeable to your own wishes. We have refrained to urge this matter solely because we were fearful of damaging your interest and because we have been unable to consult your wishes in the matter.

On yesterday, at Raymond, I met with the young Mr. Smith the administrator of the gentleman from whom you purchased the place in this Co. during the war, I offered for you to surrender the place to him and take up your notes, he declined this proposition, and I then told him he must take his own course. He afterwards came to me and desired to know if he could enter upon the place. I refused to agree to any other terms than a surrender of the place. Give your mind no uneasiness on this matter, whatever can be done for your interest, in the matter, will be done. The young man's proposal to charge damages &c simply comes from his inexperience and I suspect from the prompting of older heads than his.

This much on Business matters, about which I beg, you will not permit yourself to be disturbed for a moment, resting assured, that your friends will not be unmindful of your interest and that of your family.

In the great physical suffering to which your long imprisonment, has subjected you, you have had the earnest and unaffected sympathy of our people; and we have never felt our poverty, in resources, so keenly, as in our inability, to be of service to you in this your hour of greatest need.

We surrendered in honour to the forces of the Federal Government and none were more honest, in the Surrender, than those who bore arms; and the great principle of "*Community Independence*" went down with that Surrender; But we would be something more or less than men, could we forget him, who became our leader, not at "ambitions call" But in obedience to the unsought Suffrage of the people.

I hope the Government, impelled by a tardy sense of justice,

may accord you a trial at an early day and that returned once more to your Home in our midst your declining years may be gladened with the daily salutations and honouring regard of your countrymen.

Begging to be Remembered in kindest terms to your wife, with many prayers for your speedy restoration to Home, kindred and friends,

I am with sincere regard and esteem
Your friend and servt.
(Signed) C. E. HOOKER.

Jefferson Davis.
Fortress Monroe.

Genl. R. Taylor to Mrs. Jefferson Davis.[1]

(From Confederate Memorial Hall.)

Washington, 10th Nov. 1866.

My dear Friend,

I trust the change of parole has been as serviceable to Mr. Davis' health and comfort as it was gratifying to my feelings. I have been very actively engaged since my return here in producing an effect on the White House. I saw Mr. Johnson last night for three hours, and had a full conversation with him about Mr. Davis, and our unhappy people. Mr. Davis will be paroled to appear whenever the Govt. is ready to try him, and a general amnesty will be announced. Of course, this is *for you and Mr. Davis alone*. I presume it will occur within a fortnight. From our conversation at Monroe, I take it Mr. Davis will go abroad at least for the present, and I think wisely. My purpose is to leave here on Tuesday for Atlanta where I have some pressing private matters requiring my attention. I shall return here, in the event Mr. Davis is not released before my affairs are terminated at Atlanta. Give him my warmest love.

Truly yr. friend,
R. T.

P.S. Write me to the care of Clayton, Adair & Purse, Atlanta.
endorsed:

Genl. R. Taylor 10th Nov. 1866; about interview with Presdt. Johnson.

[1] Published on account of its historical value.

Mrs. Jefferson Davis to Horace Greeley.

(From New York Public Library.)

Private

Fortress Monroe, Va.
Nov. 21st 1866.

My dear Mr. Greely,

Allow me to thank you for the article in the Tribune in which I thought I perceived the fulfilment of your kind expressions contained in your letter to me. But every thing seems to fall pointless which is assayed in Mr Davis behalf. This last nineteen months that I have been part of the time a prisoner in Ga. and part of the time a voluntary exile from my poor little children has quite unhinged me, and I feel unable to bear further torture. Can you not, will you not get some such pressing recommendations for my Husband's release as will move Mr Johnson? We are totally broken up in fortune, and he in health, the only things left to us are our children, and they are growing up without our influence. If he is to languish here all winter, the summer will deprive me of him. I make no apology for thus pressing upon you my petition for help, because I know you have a sympathetic heart and can understand what these many weary months must have cost us. And now to look forward to so many more is a cruel suffering to inflict. To sentence a man to a year's close and nearly thirteen months solitary confinement, groaning at the same time under the affluence of observation which is not sympathy, would be a dreadful punishment if proven guilty, but to be chained, starved, kept awake systematically, almost blinded by light and tortured by the ingenuity of a cruel and irresponsible jailor, in small constantly varied annoyances, before one has been tried, is cruel indeed. I am hungry for a sight of my little children, almost babies still, and our finances are so narrow as to render it requisite that I should be with them so as to enable me to husband the little I have left. Yet I cannot leave their Father to languish out his days here. You are powerful with your party. Can you not restore us dear Mr Greely to our little ones?

Excuse this entirely personal appeal, and believe me
very grateful for your sympathy,
and sincerely yours,
Varina Davis.

William B. Reed to Burton N. Harrison.

(From Manuscripts Division Library of Congress.)

Philad[a] Nov[r] 13. 1866.

My Dear Sir,

There is no advantage in going by the new line. The fare is the same, and the boat does not touch at the Fort. The Bay line reaches there in the morning.

I received the enclosed today from General Taylor. Pray show it to M[r] O Conor. It is very short time now till Congress meets.

I am obliged to be in N. Y. again to-morrow on some business for my brother's estate—If you see M[r] O C say so to him but I must return early on Thursday. I shall be at the N. Y. Hotel from 6. to 8.—and glad to see you. I am anxious to know M[r] O Conor' view as to the coming court. I see he has won several [?]

Truly y[rs]
W. B. Reed

[Envelope addressed: Burton N. Harrison Esq
Box. 4500
New York

Postmark —NOV 13]

R. Taylor to William B. Reed. Inclosure in Reed to Harrison, 1886, Nov. 13.

(Burton N. Harrison Collection. Library of Congress.)

Washington
Nov. 12[th] 1866

My dear Sir

I received your note this morning, and regret that you cannot pass a day with me. I purpose leaving this for the South to morrow morning. I have every reason to hope that Mr. Davis will be paroled before the meeting of Congress

Truly yours
R. Taylor

Hon. W[m] B. Reed

William B. Reed to Burton N. Harrison.[1]

(From Library of Congress, Manuscripts Division.)

Philad, Nov^{r} 23, 1866.

My Dear Sir,

It is now my time for going to the country and I have nothing from Washington than the enclosed which I send 'valeat quantum' You know the writer and can better judge of the value of his suggestions. I shall do nothing without conference.

Truly y^{s}
Wm. B. Reed

I shall hold myself subject to orders by telegraph to morrow.

[The envelope is addressed to Burton N. Harrison Esq.
Box 4500,
New York

Postmark: PHILA PA
[Nov 23]

Giles M. Hillyer to William B. Reed.[1]

(Inclosure in: W. B. Reed to Burton N. Harrison, Nov. 23.)

Willard's
Washington City
Nov. 22, 6 A.m.

My dear Sir

Your despatch of yesterday was promptly received. That of the previous day did not reach me, in consequence of a misdirection, until 12 o'c,, last night. It was addressed to "G. T. Collyer." The fact will excuse my seeming inattention.

No further prospect is revealed. You have often had in mind doubtless, the "unready" Saxon. M^{r} Johnson is very ready with language but very slow in action. We seek an interview to day, I shall endeavor to make it a final & definite one, & will at once write & telegraph you.

M^{r} J. wants to do right, but is not bold enough. If we fail in our appeal, I wish to see you at once, as one of M D's counsel, as I have a theory that he can be released by appealing to Judge Trigg of the E. Tenn^{e} District, where J. D. stands indicted. I feel perfectly certain that Judge T. will bail him.

[1] Published on account of its historical value.

Please excuse my haste as I have only a few moments before the omnibus starts for the Depot

Very Truly
GILES M HILLYER

W^m B. Reed Esq

Robert Lowry[1] *to William B. Reed.*[2]

(From Manuscripts Division, Library of Congress.)

Brandon Miss
Dec 14^th /66

Hon^l Wm B. Reed,
My Dear Sir:

I did not write you from N. York, but deferred it until my return home. Mr. O'Conner would not entertain for a moment the "Tennessee suggestion." Co^l H— was rather disposed to argue the proposition which drew from Mr O'C— a petulant reply. He expressed his willingness to have assistant Counsel in the way spoken of, but, was inclined to the opinion that such action by our state just now, might be misinterpreted, that is, that it would show fight upon the part of our President, when in truth, in the present temper of the Congress, he thought it imprudent to exhibit such a spirit. I think he regards the matter as Yourself with the exception mentioned. By agreement between M^r Harrison & myself, he was to confer with President Davis, M^r O'Conner & Yourself, & advise me between this & the meeting of our Legislature as to the course to pursue. What do you think of Mr O'Conner^s suggestion? I find it necessary to resign my seat in the Senate. My pecuniary affairs, or rather my poverty, & the absence from home this year of my Partner

[1] Lowry, Robert, (1831-1910), governor of Mississippi, was born in Chesterfield District, S. C., March 10, 1831. His parents removing to Tennessee in 1833 and to Mississippi in 1840, his education was irregular. He was for a time a clerk in his uncle's store, and then setting up business for himself he removed to Arkansas. There he studied law and was settled in the practice when the civil war began. As major of the 6th Mississippi, he was wounded at the battle of Shiloh, and as Colonel he was wounded at the battle of Corinth. With Johnston in Georgia and with Hood in Tennessee, in 1864, he was promoted brigadier general, and surrendered with Johnston. By appointment of the Governor of Mississippi, he negotiated unsuccessfully with President Johnson for the release of Mr. Davis. After serving in the State legislature, he was elected governor in 1881 and re-elected at the end of his term. Governor Lowry was author (in collaboration) of a "History of Mississippi," published in 1891. He died at Jackson, Miss., January 19, 1910.

[2] Published on account of its historical value.

& myself, has caused quite an accumulation of business, & a due regard for the interest of others, as well as myself makes this course necessary. I will however, go to Jackson & try to get such action in the matter, as may be advised.

Our people feel very grateful to you for your kindness to them in defending & befriending their Great Chief.

Very Truly Yr frd
& Obt Servt
ROBERT LOWRY

William B. Reed to Burton N. Harrison.

(From Manuscripts Division, Library of Congress.)

Philad[a]. Dec. 16. 1866.

My Dear Sir,

I have been reading with great care the correspondence sent to Congress relative to John Surratt It is very curious, and as I firmly believe an effort will be made through him in some way to implicate M[r]. Davis, it is well worth scrutiny.

I have not time to say now what things have impressed me —but there is one inquiry I wish you to make, the pertinence of which I will explain to you hereafter.

I wish you would refer to some London or still better Liverpool paper (no doubt accessible in New York), and ascertain on what day in September 1865 the Steamer Montreal arrived at Liverpool from Quebec. If at all, it was late in the month.

Also if you can send me a list of the passengers in the Montreal. Please attend to this at once.

Do not trouble M[r] O Conor with this. I see Governor Pratt is in N. Y. I hope he will explain his mistaken intelligence about the Amnesty.

Truly y[rs]
M[r] Harrison W[m]. B. REED.

William B. Reed to Burton N. Harrison.

(From Manuscripts Division, Library of Congress.)

Philad[a] Dec[r]. 20. 1866.

My Dear Sir,

The Surratt correspondence appeared *in extenso* in the New York Times about 10 days ago. There I first read it. I have since received a Congressional copy. Each member has but one,

and hence it is not easy to get them. I will try and get you one.

It was, I am confident, the Montreal not the Moravian. The date of Surratt being in Canada was given and the date of his arrival per Montreal at Liverpool. The interval was so short that I distrusted the whole story. The pamphlet is at the Hill, and I am writing at the office—but I will look again at the dates &c when I get home. It will be a curious chapter.

Has M^rs Davis returned—and if not, will she stop in Philad? I have a vague idea of going to F. M. next week

Truly y^rs
W. B. Reed.

Dont return the enclosed.

[Envelope addressed: B. N. Harrison Esq.
Box 4500
New York.

Postmark:....Dec. 20....]

William B. Reed to Burton N. Harrison.

(From Manuscripts Division, Library of Congress.)

Philad,. Dec^r. 21. 1866.

My Dear Sir,

I find I was mistaken as to the name of the steamer. It was not 'The Montreal'—but, for some reason which I do not comprehend, the name of the steamer is left in blank. But there is another difficulty. It is stated that the steamer which brought Surratt to England, arrived at Liverpool on the 25^th,.. of September, from Quebec. Now, according to your letter, the only arrival at Liverpool from Quebec in September was on the 5^th,.. Can you account for this? The best plan, it seems to me, is to ascertain if any steamer arrived at Liverpool from America on the 25^th Sep^r.

Pray give all this your attention, for it may be very material.

Do you hear anything of M^rs Davis

Truly y^rs
W. B. Reed

[Envelope addressed: B. N. Harrison Esq.
Box 4500
New York.

Postmark:....Dec /22/1866

Note: Ans^d

William B. Reed to Burton N. Harrison.

(From Manuscripts Division, Library of Congress.)

Philad[a] Jan. 6. 1867.

My Dear Sir,

If you can find it in New York, pray get the January N°. of Bledsoes new 'Southern Review' just out in Baltimore, and read the article on M[r] Davis Imprisonment. It is very spirited. From certain ear marks, I think tho' I do not know, it is by S. T. Wallis.—The article on *our* friend Lord Stanhope is mine. By the bye, you may be interested in a very nice note I had the other day from Lord S. I send it of course for your eye only—and to be returned.

Have you seen and conversed with M[r] Jos. R. Davis who is at the N. Y. Hotel? I missed him in transit here which I regret for he sent me word he had something of moment to say. He promises some day to come.

I wrote to M[rs]. Davis to day.

With M[rs] Reed's kind regards and a standing promise of welcome if you will come to us,

Truly y[rs]

W. B. Reed

M[r] Harrison

I have a charming letter from General Lee about M[r] Davis

[Envelope addressed: Burton N. Harrison Esq.
Box 4500.
New York

Postmark: . . . Jan 7/1867
Note: Ans[d] Jan: 10.]

E. B. Winder to Mrs. Jefferson Davis.

(From Confederate Memorial Hall.)

E. Shore of Va. Jan. 9th 1867.

Mrs. Jefferson Davis,

Dear Madam,—

You must not think that I have been neglectful of my promise, or your interest in the matter which we discussed in New York. I feel too deeply your great wrongs to have forgotten them for a moment, and would most earnestly aid you in any way in my power;—the following is the statement you desired in writing:

The door of the room which I occupied while in confinement at the Old Capitol Prison Washington D. C. was immediately opposite Capt. Wirz's door, both of which were occasionally open. About two days before Capt. Wirz's execution, I saw three or four men pass into his room, and upon their coming out, Capt. Wirzs told me that they had given him assurances that his life would be spared and his liberty given to him if he (Wirz) could give any testimony that would reflect upon Mr. Davis, or implicate him directly, or indirectly with the condition and treatment, of prisoners of war, *as charged* by the U. S. Authorities,—that he indignantly spurned these propositions and assured them, that never having been acquainted with Mr. Davis, either officially, personally or socially, it was utterly impossible that he should know anything against him, and that the offer of his life, dear as the boon might be,—could not purchase him to treason and treachery to the South and his friends.

I do not know the names of the party making these propositions to Capt. Wirz, but Capt. George R. Walbridge U.S.A. who was on Genl. Augur's Staff and commanding the Old Capitol Prison, must have known who these men were, by whose permission they visited Capt. Wirz, and may have known the object of their mission. I am quite sure that Father Boyle of Washington City who was Capt. Wirz's priest must know all these facts. If I can serve you in any way further address me at Richmond Va. P. O. Box 393.

With the best wishes for the future of you and yours, and a speedy relief from present troubles, I am, Madam, with the highest consideration,

Yr. Obt. Servt.

R. B. Winder

endorsed:
Capt. R. B. Winder; about the attempt to suborn Wirz when under sentence of death.

M. O'Keefe to Mrs. Jefferson Davis.

(From Confederate Museum.)

Norfolk.
Feb. 16th '67

My dear Mrs. Davis,

I sincerely hope that yourself and Mr. Davis and little "Pie" enjoy good health.

I fear you think me regardless of my promise in reference to the Washington affair; but the enclosed from a Priest of high standing and a devoted friend to *us* will help to dissipate any suspicion of the kind.

You will see thereby that our friends in Wash. have not been idle and I can assure you that nothing will be left undone for our interests.

If you have any suggestion to make *on that* or *any other affair,* only command me.

I had hoped ere now to have had the pleasure of spending an hour or two with you, but that happiness has been, thus far, denied me.

I go to Eastern Shore, Monday, and should I return early in the week I shall stop at the Fort and do myself the pleasure of calling.

Any communication addressed me will reach, by having it forwarded by Capt. McCarrick of the Eolus.

Please give the accompanying package to little "Pie."

Accept for yourself and Mr. Davis the expression of the devotion of

Your humble and sincere friend
(Signed) M. O'Keefe.

Copy of enclosure follows:

6 Feb. 1867.

Dearest B.

No answer could be given you on the point you consulted me till the arrival of— I saw the indictment on the part of the *criminal court;* hence so much is gained. The military asses can't graze any more on the public lands. Today I understood that her Sister is in the city—that Bradly, one of the oldest and ablest practitioners of the W. bar and Richd. Merrick, a very eloquent lawyer of the same court, are engaged; that O'Conor of N.Y. has offered his services. The face of things looks fair for justice. If I mistake not all things will go right; nay I expect a pretty clear exposition of past villainies, when prosecutors and prosecuted will change places in the eyes of men if not before the tribunal, and innocence will be vindicated in God's good time. In this one hope I pray.

Yours devotedly

(signed)

Robert Lowry to Burton N. Harrison.[1]

(From Manuscripts Division, Library of Congress.)

Brandon Miss
Feby 26th /67

My Dear Col:

Your favour of 19th inst., as well as your previous letter came duly to hand, & in time to serve our purposes. As I wrote you on my return home from N. York, my professional engagements, together with my pecuniary condition forced me to resign my seat in the Senate, nevertheless I did not for a moment forget or neglect my duty to our Great Chief. When the Legislature met I went over & talked freely with the members, & showed a number of them your letter, & told them the object & purposes of the appropriation sought. I drew a bill which embraced, I think, our views in the matter, & left it with a friend, who mislaid it. I returned again & drew another bill, a certified Copy of which I herewith enclose to you appropriating $20,-000.00 for the defence. You will see that I placed it in such a way that the Governors receipt is a sufficient voucher to the Treasurer, & he authorized to pay it out in such sums as may be necessary. Of course any portion of this sum or all of it when necessary will be paid on application of Mr O'Connor to the Governour or on application of any one else authorized by the President. I did not think it necessary to mention Mr OConners or Mr. Reeds specially in the bill for the reason that the Governour knows that they are the Counsel for the President, & their wishes to him will always be honored. I thought it best just to apply it for the defence & place it under the controll of the Governour; so that it could be commanded when needed. Now in relation to the amount. You suggested no particular sum, & I had to determine by consultation with some of our friends, who like myself, had but little idea as to what was required, & if the amount is too small you must blame me & not our people. My own judgment was Fifty Thousand dollars, but others whose opinions were entitled to respect & consideration, thought that in the impoverished condition of our state, that Twenty Thousand would serve the purpose for the present & that if future developments required more that we would be ready to meet it. It is perhaps necessary that I should say to you that our revenue is now being collected, &

[1] Published on account of its historical value.

if not essentially necessary, I would not apply to the Governour for a month or six weeks. You will see from the bill that it can be drawn in such sums from time to time as may be required. I feel sorry that you did not suggest some particular amount, but if the Twenty Thousand is insufficient, I feel sure that the President knows our love & admiration for him, & our willingness to serve him. Whatever changes may occur with his people, their attachment & devotion to him will only cease with their existence.

You will observe a separate bill appointing assistant Counsel &c. I concur fully with you in the belief that they will never be called on to do anything unless there is a radical change in the programme of our enemies—however, it was a tribute due our great citizen, & I trust that it will not have the effect of exciting new animosities with that wicked party who are still persuing us with a malignity & meanness that is unprecedented in the history of any civilized Gover[n]ment upon earth. I ask also, that in connection with this matter, that you explain to Mr. O'Conner that the bill appointing this Counsel was pending in the Legislature at the time we were there—had in fact passed the lower House, & in the attitude that it was, I thought it best to have that laid on the table, & this substituted in its stead, because had it been withdrawn entirely, it would have caused enquiries throughout the state which would have given it the publicity which Mr. O'Conner feared. All this I would have explained to Mr. O'C—when there but Co[l] Hillyer commenced the general conversation, & you remember its features. Of course the Assistant Counsel will do nothing save at his instance & under his direction. When at Jackson some weeks ago there was $3,500.[00] (Three thousand five Hundred) deposited at ths National Bank by the Ladies for the Presidents Family. There is perhaps now Four thousand or more. In what shape is it desired? It has been sent by various ladies to M[rs] Govvernor Humphreys, who receives at Jackson. I note your remarks in relation to this matter, which are certainly correct, but you are aware that occasionally there are projects conceived by Ladies which after a given time are not very susceptible of interference, but if controlled in the outset is easily managed. In this instance, however, I hope they will do better than usual. If you will let me know M[rs] Davis[s] wishes as to where this money shall be sent, & how, I will at any time go over & see M[rs] Humphreys who will take pleasure in complying with the request; or you can write direct to M[rs] H— if you wish. *You will understand that I hold myself in readiness at any & all times to do*

anything in my power for the President & his family. In your next advise me what amount will be necessary for the annual expenses. Of course you could only give your opinion, but knowing the situation well you can tell better than others. The Ladies I am sure will raise much more—but whether they do or not a *sufficiency will be furnished.*

The amount on hand can be sent at any moment when advised as to how it shall be done.

It seems that Surratt will not perjure himself to gratify the miserable Scoundrels who still make war upon us, but in the present attitude of affairs it would seem uncertain what a day may bring forth.

When in Philadelphia and N York Mr Reed remarked to me that he thought of educating his Son (some 15 years old now) in the South. I spoke to Judge Howry & others Trustees of the Mississippi University & they told me that they would present him with a Schollarship which I presume they have done.

I did not see Gen[l] Joe Davis at Jackson—he was not there during my stay—was sorry for it, as he could have advised us in relation to the matter referred to

When will you visit the President? Remember me kindly to him & the family.

Our C Court is in session & I have written you hurriedly.

Let me hear from you soon
& believe me Very Truly Yr friend
ROBERT. LOWRY.

P.S. I would have answered your letter long ago, but was waiting for the action of the Legislature that I might write more satisfactory

R.L.

[Indorsed: Feby 26 1867
Robt Lowry]

C. P. Culver to Jefferson Davis.

(From Confederate Museum.)

Lou Arbor, near Crawfordville, Ga.
12th March 1867.

Hon. Jefferson Davis,
Fortress Monroe, Va.

My dear Sir:

Being desirous of presenting to the country a true history of the civil departments of the late Confederate Government,

you will greatly oblige me by such suggestions as you may deem pertinent to the subject.

Enclosed you will please find a slip, which will give you a brief outline of the character of the work.

Any sketch, public or private papers, letters, speeches anecdotec etc., which you may furnish me in aid of the enterprise, will be duly appreciated and acknowledged; and if they are such as you desire to preserve, will be taken special care of and returned to you as soon as the matter in point can be transferred to my manuscript.

With many prayers for your speedy release, your return to your home or your friends, with a future pregnant with ever more of happiness than falls to the lot of us poor mortals bowed down in sorrow, pain and humiliation, at the more than anomalous condition of our country.

We await with trembling emotion the rapid progress of events. We shall continue in the future, as we have in the past, to be a law abiding people. We shall forbear, until forbearance ceases to be a virtue.

An Imperial Despotism is the ultimate doom of this country and there seems to be no escape from it. Madness rules the hour, and the fact that we have a country to save or to lose does not enter the brains of our rulers. The fact is verified, that Liberty often suffers more from an intoxicated revelry of its friends after the Victory is won, than from the open attack of its enemies.

With esteem, I am, sir,
Most respectfully, your obedient servant,
(Signed) C. P. Culver.

Charles O'Conor to Burton N. Harrison.[1]

(From Manuscripts Division, Library of Congress.)

Brown's Building,
No. 61 Wall Street
New York, March 13th 1867

My Dear Sir

I do not see any reason to believe that more money will ever be needed than is accessible without a resort to the legislation referred to. Besides if a military rule shall step in and take cognizance of civil acts for the purpose of defeating their object,

[1] Published on account of its historical value.

I imagine that a recent payment of this sort would not escape scrutiny or reclamation.

Consequently I do not incline to take part in any action such as is suggested. It may be easily done by others if it should be done at all; and I do not wish to have any connection with the money branch of this business.

I can speak with you more fully if desired.

I am Dear Sir
Yrs truly
CH. O'CONOR.

Mr Harrison

[Indorsed: March 13—1867
Charles O'Connor].

Paul Bagley to Jefferson Davis.
(From Confederate Memorial Hall.)

Hygeia Hotel Fts. Monroe,
April 19th 1867.

From slip enclosed please find my name in connexion with the pardon of Ex Gov Vance N.C.

My part was to procure all the signatures and plead his case with the President.

I have come to propose to you conditions upon which I have no doubt of a full free and complete pardon and release of yourself without money and without price, knowing as I do the minds of the Senators.[1]

In the name of Our Lord Jesus
Paul Bagley of Maryland
Missionary from
Japan China India and Europe.

To
Mr. Jefferson Davis
formerly President of the
so-called Confederate States of America.

card and printed slip enclosed within letter from Paul Bagley to Jefferson Davis.

Paul Bagley of Maryland Missionary from Japan China &c to see President Davis on a matter of importance
with kind regards

[1] The Bagley letters give the reason why Jefferson Davis refused to ask a pardon of Andrew Johnson.

To the Western Associated Press:

A Pardon, and Who Recommended it.

The President this morning issued a warrant of pardon to Z. B. Vance, late Governor of North Carolina. The pardon was issued upon the recommendation of Senators Henderson, Davis, Saulsbury, Patterson, Fowler, Johnson, Wilson, Ferry, Ross, Ramsey, Yates, Sherman, Cragin and Norton; and Representatives Phelps, Van Auken, Marshall, McCullough, Archer, Niblack, Wood, Kerr, Brooks, Van Trump, Holman, Chanler, Mungen, Seeley, Stevens, Noell, Dennison, Nicholson, Eldridge, Burr, Glosbrenner, Morrissey, Ross, Robinson, Clark and Ingersoll; Governors Bramlette, Sharkey, Parsons, Major Hoffman, H. Webster, A. H. Garland, Horace Greeley and Rev. Paul Bagley.

Paul Bagley to Jefferson Davis.

Washington D.C. May 22nd 1867.

My Hon. and dear friend,

I enclose document for *your signature* and return to me at the Post Office here and have no doubt of your pardon, and you need feel under no obligation to me for it is my duty to God and the world.

In the love of Our Lord Jesus Christ

PAUL BAGLEY, Missionary.

To

Jefferson Davis

(late) President Confederate States of America

N.B.

I might multiply signatures indefinitely but do not think it necessary.

P. B.

Paul Bagley to Andrew Johnson.

(From Confederate Memorial Hall.)

(Petition to pardon Jefferson Davis.)
(on parchment)

Your Excellency:—

Forasmuch as I have no doubt that Jefferson Davis now a prisoner in Fortress Monroe is willing to obey the Government he once defied and anxious to restore the same:—

Therefore, Your Excellency is hereby prayed to extend of Executive Clemency to the said Jefferson Davis a full free and complete pardon for all his past rebellion. And your suppliant will ever pray the blessing of Almighty God upon your Excellency, our Government and our common country. All of which is respectfully submitted and prayed.

Done in the name of Our Lord Jesus Christ by
Paul Bagley Missionary from
Japan China and elsewhere.

I concur in this petition.

GARRETT DAVIS.

To his Excellency
Andrew Johnson President of the United States of America
Dated Washington City Apl. 20th 1867.

Whereas the God of Battles has decided against the Confederacy and it is dead we therefore earnestly entreat the late President thereof to accept the situation by applying for his pardon. We also pray his Excellency Andrew Johnson President of the United States that of Executive clemency he may grant the same to the said Jefferson Davis.

JOHN T. MONROE,
Mayor New Orleans
Washington May 3d, 1867.
JOHN W. OVERALL
Secretary Mayoralty N. O.
J. J. JONES, Baton Rouge, La.
W. L. SHARKEY,
R. J. WALKER,
DUNCAN S. WALKER
WM. H. CARLIN,
HUGH LATHAM, Mayor of Alexandria, Va.
G. GOCHMANN (?) of Richmond
JACOB M. RUFF
Mayor of Lexington Va.
WM. D. BRANCH
Mayor of Lynchburg Va.

Paul Bagley to Jefferson Davis.

(From Confederate Memorial Hall.)

Balto. Md. Apl. 27th, 1867.

My dear Sir,

I did not authorize any one to say what was said concerning my interview with yourself. I spoke with the Chief, pardon clerks and with Senators on the subject. Garrett Davis of Ky. has endorsed an application made by myself for your "full free and complete pardon." Most of the Senators who signed for Vance refused in this case. Those who wished to sign were afraid. One Senator from Texas remarked "Oh no my people would hang me if I signed that. It's true I shouldn't refuse to do right for fear of hanging but they'd hang him if they caught him in the State." The other, Patterson, said to the messenger who presented the paper "I'll be d——d if I'll sign that." Reverdy Johnson sent it back blank. I talked a long time with Senator Howe, an old man grey headed, had talked long with him in regard to Vance. Howe said "They made tremendous destruction, mountains of humanity have perished; if they are not guilty and worthy to die then I am for I opposed them." I told him that the ambition of my soul was to heal the wound; to see the men who had shed blood like Saul now laboring to restore peace and equal rights to all men. He replied that it was a noble ambition. That if Davis would enter upon such a work in good faith that it would be a sight over which the world would rejoice and his words were "He would be in Congress again before two years—there is no power in the Country that could keep him out." I heard a strange sound last night on Grumount Av. A man walking with another called out in the dark "Hurrah for Jeff. Davis."

Had a long talk with Col. E. H. Webster, Collector Port Balto. this morn. He was raised with me, signed for Vance, is my warmest friend. He entreated me to go no further in your case, said it was hopeless, that you must be tried and the law vindicated (even if you were then released) to prevent future rebellion, that as a minister of God I could not proclaim pardon to unrepentant rebellious men, that you were proud and self righteous and would never ask for pardon. I do not believe it. I have certified in the name of Our Lord Jesus Christ that I believe you "are willing to obey the Government and anxious to restore the same" and could I bring you an assurance from the Presdt. that he would pardon upon application I have no

doubt you would apply and would labor to restore the Govt. as Lee Beauregard and others are doing.

There is no court on earth competent to try your case which is the case of the Confederacy. The *God of Battles* has decided it. In His name I say *accept the decission* and reinstate yourself and the smitten South. O, Sir, pardon my plainness and God bless you. I remain a few weeks longer and then hasten away to foreign lands where I was while the bloody war went on. No animosity reigns within my breast,—born on southern soil I love the smitten South. Ever loyal to the Govt. no charge of sympathy with rebellion can now be laid against me in my efforts for the common good. Free from all political parties, for I never voted but once, I have no standing of this kind to loose. Free from sectarianism I have no synods Councils or Conferences to please. Yet known of all men as a minister of the gospel and duly connected with the Church called "Christian" I am fully impressed with the singular fittness of my position not only to bring such peace as I have to the mind of Vance but can not refrain from expressing the decided conviction that under God I shall bring it to you and the Country, and cause the world to rejoice in the sublimest spectacle of the 19th century even the full free and complete pardon of yourself and your active labor to procure equal rights to all men and the reinstatement of yourself and the South in the Government of our country.

Again tendering for a few weeks only whatever service I can render, which is I believe pardon if you will ask, and gladly would I go to the homes of Senators to see them, praying also the Divine blessing upon yourself your family and your friends and begging again that you will attribute my earnestness and plainness to my personal sympathy and love of Country, I have the honor to be, Sir,

Your obedient servant in the name of Our Lord Christ

PAUL BAGLEY.

Paul Bagley to Jefferson Davis.

(From Confederate Memorial Hall.)

Fortress Monroe May 1st 1867.

My dear Sir,

From your readiness to hear all my words before and the delicacy of your position regarding your own words, I am sure you will gladly hear the result of my interview with Prest. Johnson on your behalf day before yesterday.

I asked him for an assurance that he would pardon you provided you would ask. He replied "You must be aware that it places me in a very unpleasant position to ask me beforehand to pardon a man who will not ask for pardon,—who does not admit that he has done wrong."

I replied "When the Lord sends me to rebellious men he authorizes me to assure them of pardon provided they repent and ask for it."

He answered "Mr. Davis has our general proclamation and we can not make his an exceptional case. He is just as much at liberty to ask for pardon as any other man."

I added "I will assure him of the fact and encourage him to ask."

He continued "We have offered our terms from which we cannot deviate. We have urged upon Congress to give him a trial. He ought to be tried."

I added "He has been tried already at the Bar of War and condemned by the God of Battles, no court may reverse that decision but if he will accept that decision and ask *you* have power to pardon and release him."

He said "*If the case comes before us I claim the right to decide it as I think right irrespective of the opinion of any other man and* I will *do what I think right* as I have done before *regardless of the abuse or slander of all men.*"

Here, Sir, is an exhibition unparralleled in history—the Chief Ruler of the nation willing to brave abuse, impeachment, place, power or death but finding it *impossible* to admit secession and rebellion right by pardoning you without you ask.

With constitution counsel and courts I have nothing to do. I have not seen your judge or judges but so surely as the God of Battles has *burried* the Confederacy so surely is there now no court that can raise it from the dead and bring it to the bar and acquit it or *its exponent, yourself.*

But you may accept the verdict of the War by applying for pardon and you have not my words on which to rely—you have the general proclamation of pardon to the conditions of which I have referred— "Ask and ye shall receive."

I will add further that Sumner's proposition in regard to Vance, if agreeing to go in for negro-suffrage, met with no favor with the President. He asks no more of you than of Beauregard and Lee and all the leaders and while I gladly abstain from all reference to your refusal I do hereby entreat you by the mercy of the Government you have defied and the Eternal One our Judge and Jesus our Mediator—by the past and the present

and by the hope of happy days on earth and rest in Heaven,—by my wounds and the wounds of Our Country,—by all things in Heaven and earth, be *entreated* to accept the situation and apply for your pardon.

Assuring you of my sincere regard
I am dear Sir your servant
In the name of Our Common Lord Jesus
PAUL BAGLEY of Baltimore Md.

Jefferson Davis, Esq.

William B. Reed to Burton N. Harrison.

(From Manuscripts Division, Library of Congress.)

Private

Philad[a] May. 5, 1867.

44436

My Dear M[r] Harrison,

I telegraphed you yesterday to meet me at the N. Y. Hotel, being obliged to return here at 6,—but I presume it did not reach you. I could have said many things which I find it not easy to write. I met M[r] O Conor here by appointment and accompanied him to N. Y. and we had a full and free talk. The only thing that I have since learned that he did *not* tell me was, that his colleague Shea had printed what is called M[r] Davis' *Petition* to Underwood in yesterday's 'Tribune.' I dont think M[r] O Conor knew it for I cannot persuade myself he would have sanctioned it. However as you know this man Shea is my horror, and I have no faith in any movement he inaugurates or promotes. And, writing to you now in the strictest confidence I cannot conceal my fear that we shall yet be the victim of some fraud at the hands of Underwood and his confederates. His postponing the return of the writ till the 13[th] and the fact of his having issued it being instantly published in his radical newspaper at Alexandria look to me as if he wanted to test radical opinion out of doors and to regulate himself accordingly. What Radicals will say may be inferred from the enclosed leader from their leading organ here.—Still M[r] O'Conor has absolute faith, and we must act as if we all had. I only say what I do that you may know in advance what I think. I have no faith in what is hatched in Washington 'Shea incubante.'

What practically I most wished to talk to you about is this: M[r] O C says he wishes you to go in advance to Norfolk and Fortress Monroe and have the H. C writ properly attested, employ

proper agents to have it served on General Burton, and if possible make arrangements for the suitable translation of Mr Davis to Richmond he, I presume, remaining in the custody of the military till he is produced in Court. On my hinting that *your* agency in the matter especially the attestation &c might attract attention and newspaper comment, he replied his plan was that Mr Ould should act with you and be the only known agent. This is all right. It seems to me that this matter of Mr Davis removal to Richmond requires very delicate handling. I have always an eye, perhaps too much so to the dignity of his position. If we have no control of the arrangements, of course we can do nothing—but I cannot help thinking some influence might be discreetly exercised. I think (but in this in my inexperience of soldiers, I may be wrong) that if I were on hand at the Fort when the writ was to be executed—or Judge Ould, General Burton would talk to me about it. If as may be the case (tho' most unlikely) he be instructed to hand the prisoner over to the person in charge of the writ, then everything depends on the choice of that person. This however on reflexion cannot be.

I presume Mr O C will wish you to go at once—and the sum of what I have now to say to you is that I must see you here on your way—if it be but for an hour Leaving N. Y. at 4, or 6 P.M. you can spend the night with me— Leaving N. Y. at 5 A.M. you will have an hour here. It is quite within the range of possibility that in view of contingencies which may arise and to be on the spot to counsel with you and Mr Ould that I may go to Richmond with you or follow you so as to be there on Friday and Saturday. I understood Mr O C to say he would go on Saturday.

Consider what I write as strictly for your own eye, and keep me apprised by letter or telegraph of your movements. If you telegraph address me

care of
Gowen and Cochran
3d St

Try yrs
W. B. Reed

They will sent to
me at the Hill

[Envelope addressed: B. N. Harrison Esq
Harrison & Weeson
Nassau St
New York.

Postmark: PHIL'A PA
MAY 5]

[Inclosure in: W. B. Reed to B. N. Harrison, 1867, May 5.]

Newspaper Clipping

EVENING BULLETIN.

Saturday, May 4, 1867.

JEFF. DAVIS IN COURT.

Jeff. Davis's counsel have at last made one step towards bringing that great criminal to trial, but whether they have done their client any special good by their application for a writ of *habeas corpus*, remains to be seen. If the writ granted by Judge Underwood is recognized and obeyed by General Burton, Jeff. Davis will vacate his lodgings by the sea and take up his quarters in the Richmond jail. This will be a great relief to the officers at Fortress Monroe, who have been insufferably bored with the duty of taking care of their troublesome prisoner and his large circle of friends and acquaintances. The removal of the arch-traitor to a Richmond jail will not add particularly to his personal comfort, unless the prisons of Richmond have been greatly improved since they were used to torture and starve Union prisoners during the rebellion. The fact that Judge Underwood has granted the writ of *habeas corpus* indicates nothing of his future course in the case. It is not likely that he is prepared to take the responsibility of trying Davis, and as he has always repudiated the idea of admitting him to bail, the "stern statesman" will gain nothing but personal discomfort by his change of base It is suggested that Judge Underwood's course will have the effect of removing Davis out of the President's control and placing him at the disposal of the Court; but it is not easy to set bounds to Mr. Johnson's interference in behalf of criminals, whether convicted or not. The President's extraordinary partiality for forgers and counterfeiters extends itself to rebels and traitors, and there is no reason to doubt that he will gladly set Davis at liberty, whenever he believes he can do without compromising his own political aspirations.

Robert Lowry to Burton N. Harrison.[1]

(From Manuscripts Division, Library of Congress.)

Brandon Miss
May 10th 1867

My Dear Col:

I wrote you sometime ago & enclosed a copy of the bill making the appropriation for the defence of the President, since which

[1] Published on account of its historical value.

I have heard nothing from you. Also suggested that you would signify when & how to remit the funds for the Presidents family —stating that I would see the ladies at Jackson & get them to forward &c. I was at Jackson this week, & the Governour told me the money was still in Bank—several thousand Dollars. I suggested the propriety & necessity of having it sent to N York, & gave him the information & requirements of the family as derived from you. It would probably be well for you to drop him a line, on the subject. As you previously stated the men must attend to the business part of it, & the Governour is the proper person in this instance, as he is acquainted with the ladies, & there on the spot, however, if not sent by the time I hear from you I will go to Jackson & stay until it is arranged. I also wrote the Governour sometime ago, & suggested to him to forward say $2000 for expenses that might arise in conducting the cause—he told me on Monday that he had sent 3000$. And this brings me to another matter, to which I beg your attention & views. I have never mentioned it to a single human being, save Mr Reed who I wrote to by this mail. Would it not be well & exercising due caution for the Governour to send say Seven Thousand Dollars more of the appropriation to N York at once? It occurs to me that I can see endless difficulties soon to arise in Miss. Gen[l] Ord is here & thus far he & Gov Humphreys have got on harmoniously, but should he require the Governour to do anything which would conflict with his obligations to the state, he would refuse, & the result would be removal, & another appointed in his stead —and this appointee I take it would be friendly with the military, and not favourable to our Great Chief—hence if we had 10.000$ there & on hand, we would be *safe* until more could be added if required. A change would necessarily bring up the question & in the event of the removal of our present Governour, a new incumbent, who would be acceptable to the military might refuse to comply with that law. You can well imagine many other things that might arise in our condition with the same result—hence in view of the whole business I am clear that at least 10,000$ should be out of the reach of our enemies. True the Attys charge no fees, but many things in the progress of the cause might transpire that would require the expenditure of money, & it seems to me that a sufficient amount should always be ready. What think you of it? The Governour is our good friend, & a true & noble man, & will do anything that is right. My fears may be unfounded, still I think them worthy of consideration. "What's everybody's business, is nobodys" & the world is moving with such rapidity, & the changes so great &

surprising, that many things are overlooked & forgotten, & doubtless this is one of them. If however, it is considered unimportant, & an unnecessary suspicion of mine, my excuse is the feeling which I have in the cause of our President, which is the cause of our entire people.

We look forward with much hope for the success of the motion which will be made before Underwood.

With my best wishes
I am Very Truly Yr frd
ROBT LOWRY

[Indorsed: May 10. 1867
Robt. Lowry]

Franklin Pierce to Mrs. Jefferson Davis.[1]

(From Confederate Memorial Hall.)

Concord, N. H., May 14, 1867.

My dear Mrs. Davis—

I reached home last evening and found the telegraphic announcement that the Govt. declined to proceed with the trial of Genl. Davis and that he had been released upon bail. I do not know whether this will reach you at Richmond, but send it at a venture; to the care of Gov. Wise, who will know how to change the direction, if you have left. I infer from a remark of Genl. D. That you may all, in the first instance, proceed to Canada to see your boys. I would not influence your husband with regard to his movements, but I am strongly impressed with the conviction, that his state of health, if no other consideration, should settle the question of his remaining at the North during the summer months now near at hand. My Cottage at Little Boon's Head will be ready to receive all your family by the middle of August. The latter part of that month and the whole of Sept. is usually delightful there. The place will be as quiet as could be desired—and I need not express how much pleasure I should find in trying to make everything agreeable to you. Pray write and let me know how I shall direct letters to you and what I may expect. I think, upon reflection that this note had better be directed to the care of Judge Lyon as Gov. Wise may be absent on professional engagements.

[1] This letter reveals the well known friendship which existed between Franklin Pierce and Jefferson Davis dating from the War with Mexico.

The package of books will be committed to the express tomorrow.

Always and truly yours

FRANKLIN PIERCE.

Mrs. Davis,
Richmond, Va.

P. S. One of the photographs of dear Mrs. Pierce was taken during the last year of her life, when she was very feeble—shall send them with the books.
endorsed:
Franklin Pierce May 1867; ack. by J. D. 23 July '68

J. M. Mason to Jefferson Davis.

(From Confederate Memorial Hall.)

Toronto—
May 14th 1867—

My dear Sir:

Learning some days since through the Press that you were to be present yesterday at Richmond, I wrote to Randolph Tucker in advance, a letter, which supposing as one of your counsel that he would have free access, I requested him to show to you—I hope he received it, and complied with my request— Finding now through the Telegrams of the morning, that you had been released on Bail, I enclose this to a friend in Richmond, that if it does not find you there, it may be forwarded to you—

It has been a great relief to me to learn that you were at last at liberty, and under circumstances in which I confidently rely that you will not again be molested— Whilst in England, where I remained for more than a year after the sad reverse in our fortunes, I wrote from time to time to *Mr. O'Conor*, and who I found was allowed to have interviews with you as counsel, on matters that would be interesting to you in the perils that seemed to surround you, and I hope he made known to you the character of our correspondence— It is needless to go into it now, but I should be gratified that you were kept informed of the interest felt in your safety, by those who were beyond the reach of the enemy—and that such interest was not of mere barren sympathy— In my letter to Randolph Tucker, I ventured to express the hope that you might come for the present to Canada, and can only renew it here— I see little prospect at present of my getting back to Virginia, and of all things I should desire once more to

be with you, and to talk over what may be the future of our unhappy country— I have with me my wife and daughters, and fortunately from some remnant of my wife's property beyond the reach of the enemy, have the means at present of living without want— We spent last Summer in the Town of *Niagara,* at the confluence of that river with the lake, about twelve miles below the Falls—it is a very healthy and cheap country, and being immediately on the frontier, and thus accessible to any friends who may come from the South, have thought it might be an agreeable residence for you— Should your health require the invigoration of mineral baths, there is the Town of St. Catherines, not far distant, the waters of which have great celebrity, and the Town itself an agreeable residence— But above all, I have thought it might be to you, as it was to me a matter of some moment, to be and remain in a country, freed from the tyranny and brutality now dominant, at our once happy homes— When you have leisure pray let me hear from you, if only by a brief note, and tell me of your plans so far as formed—

You will I know be harassed with letters, and I will therefore trespass on you no farther, than to express my sincere and unqualified appreciation of all that marked your career in our late noble struggle, and with most respectful regards to Mrs. Davis to subscribe,

Most truly and affectionately yours,
(Signed) J. M. Mason.

P. S. I have thought it safer, to avoid espionage in the Yankee Post Offices to suggest that letters to me from the South, should be directed to *"John C. Ambler, Esqr."* (a little grand son with me)—the address simply "Niagara, Canada, West"—

Mrs. Mason and my daughters now aware that I am writing, beg to express their gratification at your release, and unite in kindest regards to Mrs. Davis and yourself—

J. M. M.

May 16th.

I had written the above to send to you at Richmond but before it was mailed learned that you had left for Montreal and therefore enclose it to you there.

I have requested my friend Mr. Corse of Virginia under whom I put it, to telegraph me when you arrive, and very soon after I promise myself the great pleasure once more to see you.

Most truly yours,

J. M. M.

John H. Reagan to Jefferson Davis.

(From Texas State Library.)

Fort Houston,
near Palestine, Texas,
May 21st 1867.

Honorable
Jefferson Davis
Richmond, Va.;

My gratification is great indeed at hearing of your release from prison life, after the two weary and desolate years at Fortress Monroe. No statement has yet reached me of the condition of your health. But I sincerely trust it may be such as to enable you to enjoy the little of freedom which is allowed you. I learn from the brief dispatch I have seen that Mrs Davis is with you. I trust her and your dear little ones are with you and well and happy. I beg you will remember me affectionately to them. You can hardly know what a s[o]urce of gratification it would be to me to see you again. And if my means would permit it I should come to Richmond, or wherever you be, for that purpose. I sought the privilege of communicating with you, when at Washington City, on my way home but was not allowed to do so. And I wrote Col. Northrup some two or three months ago to assertain whether I could communicate with you but have received no answer. I obtained the privilege of visiting our good friend Mr. Mallory, at Fort Hamilton, as I came through New York City. He manifested the most earnest and sincere concern and sympathy for you; and was himself in very wretched health and spirits.

The feeling of relief and joy, on account of your release, is universal and strong here; and all feel that both justice and good policy required that this feeling should have been allowed to be perfect by your unconditional release. Intense as your labors and great as your trials were during the war, and cruel as your sufferings have been since, it will no doubt be a great consolation to you to know that the great mass of our people regarded you as suffering in your own person for and on account of them, and that no patriot, or statesman, or soldier, enjoying the highest honors of success and good fortune, was ever honored by stronger sympathy and more earnest affection from the people he represented or served than you have received from our people during your period of misfortune. Success might have left you, for this generation at least, the usual allotment of friends and enemies; but misfortune has embalmed you in the sincere and earnest

affection of all our people. And you can at least enjoy this pleasing retlection, amidst the general wreck of liberty and of fortune, that you served a people and suffer for a people who love and venerate you more as your and their misfortunes and sorrows are greater. I have not ceased to pray, and to teach my little children to pray, for your health and safety, and for your final restoration to liberty and happiness again.

On my return home I determined to go on my farm and improve and cultivate it so as to be as much as possible withdrawn from all association with the public and with public matters. By constant industry and the most careful frugality I made a very good crop on about 130 acres of land in cultivation last year, and have a good prospect for a crop this year, and have been enabled to keep my children at such schools as we have here. I have built some out houses, made me a good garden; planted my yard in trees, shrubs, and flowers; and planted out a small orchard of all the kinds of fruits that grow here. Last summer I married a Miss Taylor, who was born and raised in a mile of where I now live. It was my good fortune to get a good wife, and a good mother for my children. And altogether I am as happy as I could expect to be in view of the condition of the country. My wife sends her love to you and Mrs. Davis, and requests me to say she should be most happy if it were possible for you both to be with us for a time and enjoy with us the pleasures of our quiet, rural life. And in this wish I most heartily join. Very truly your friend & sevt

JOHN H. REAGAN.

Endorsed:

John H. Reagan
to
Hon Jefferson Davis
May 21st 1867.

Hunter Davidson[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Annapolis Md. May 28/67

His Exclly.
Jefferson Davis,
Sir,

If you can find a few moments leisure whilst recruiting your health from the long suffering and pain to which you have been

[1] Commander C. S. N. See "History of the Confederate Navy," by J. T. Scharf, p. 762.

subjected, I desire to beg that you will honor me with a brief statement of your opinion of the value of my services in command of Submarine and Torpedo operations, as applied to the purposes of War during the late Revolution. I can hardly expect, of course, that you will be able to recall them, without my allusion to them, and then only from the fact that I was employed for over two years, in the defences of Richmond immediately at your residence.

My object is—that not being able to find prosperous employment in this Country for the support of my family I am about to enter the Prussian Service for the defence of their Harbors with Torpedoes, Subm. batteries &c., and the Prussian Minister looks very favorably upon it.

You may recollect that in April 1864 I used the "Torpedo ram" against the Federal Flag Ship "Minnesota" and did her great injury, but greater injury, delay &c, to the Federals themselves, from the *moral* effect,—and escaped without the slightest loss or injury—for the first time proving the practical success of the "Torpedo ram."

Again. When Adml. Lee attempted the ascent of the James, to co-operate with Beast Butler in the attack on "Drewry's Bluff" in May '64, I caused the repulse of his immense Fleet,—its retreat down the river,—and inactivity for *ten* days, by the total destruction of the "Commo Jones" at "Deep bottom" by a Subm. battery which had lain in "forty five feet of water" for twenty two months.

You may recollect that the Subm. defences stopped B. Butler's army below Howlitz; otherwise the Fleet would have cleared the way for it up to the guns of Chaffin's Bluff, at least, and thus Grant's Army would have had unobstructed command of both sides of the river—in the shortest possible lines, to threaten Richmond or Petersburg, at close quarters, on either side.

This last expression is merely my opinion, and to whatever extent submarine and such operations may have *really* assisted our Cause, around Richmond, I respectfully submit to your Excelly's. judgment, knowing, should my services have met with your approbation as I am induced to believe from the fact that I was promoted by your recommendation "for gallant and meritorious services," that the expression of it would ensure me a favorable reception by the Government in whose service I expect to embark my fortunes.

Permit me, Sir, to express the wish, so universally felt, by all those who had the honor of serving under you in the late great

Revolution, that you may live long enough to see and *feel* that the good which you struggled so hard, and suffered so much for, —to do mankind, is appreciated by all,—even *this* Nation, and you receive the unrestrained acknowledgment and affection of your Countrymen.

I have the honor to be
Truly and respy. your most Obdt. Servt.
HUNTER DAVIDSON,
(late commander C. S. NAVY)

P. S.
I neglected to mention that burning of Richmond caused the destruction of all my official documents, papers &c., hence I am now dependent upon the expression of the good opinion of those under whom I had the honor of serving. With the highest esteem, I remain, HUNTER DAVIDSON.

endorsed: Hunter Davidson; Comdr. C. S. Navy; ans. within.

Jefferson Davis to Hunter Davidson.

(From Confederate Memorial Hall.)

Montreal, C. E. 3d July 1867.

Comdr. Hunter Davidson,
My dear Sir,

Absence from this place to which your letter was addressed has delayed my acknowledgment of it. Be assured that the high regard and respect in which I hold you makes it a real pleasure to me to serve you in any manner you may think it practicable for me to promote your welfare.

It is unfortunate that you have not access to the records of the C. S. Navy Dept. Your correspondence with the Secretary and his endorsements as well as my own, would most specifically attest the favorable estimate placed upon your suggestions and services. That part of the defence of the water approach to Richmond entrusted to you was most difficult and dangerous. It required an officer vigilant, fruitful in expedients, quick to perceive the defects incident to the application of a new engine in War, willing to admit errors, prompt in devising remedies, full of enterprise and intrepid in execution. You were selected for such qualities and I think the results proved that the choice was fortunate.

Your attack upon the Enemy's flag ship shows how efficient for harbor defence small vessels may become by using them as

"Torpedo-rams" even against the most formidable vessels of War. To the use of submarine batteries placed by you and others in the James River is most probably due the failure of the Enemy's fleet to attempt the ascent of the river. A measure so clearly indicated by the movements of their land forces. The destruction of one of their vessels by a Torpedo which had been immersed for a long time in deep water establishes all the conditions requisite in that implement as a means for harbor defence.

Your services entitle you to the grateful remembrance of your compatriots, and will I hope secure for you a favorable reception in the foreign land in which you propose to seek a new home. It will always give me sincere satisfaction to learn of your good fortune and if at any time you should think me able to promote it, do not hesitate to inform me. With earnest prayers for your temporal and eternal welfare, I am

Very truly and respectfully,
Your friend,

(Duplicate.) JEFFN. DAVIS.

R. E. Lee to Jefferson Davis.[1]

(From Confederate Memorial Hall.)

Lexington, Va.: 1 June 1867.

My dear Mr. Davis,

You can conceive better than I can express the misery which your friends have suffered from your long imprisonment and the other afflictions incident thereto. To none has this been more painful than to me, and the impossibility of affording relief has added to my distress. Your release has lifted a load from my heart which I have not words to tell, and my daily prayer to the great Ruler of the World is that he may shield you from all future harm, guard you from all evil and give you that peace which the world cannot take away.

That the rest of your days may be triumphantly happy, is the sincere and earnest wish of your most obt. faithful friend and servt.

R. E. LEE

Honble. Jefferson Davis.

[1] This letter reveals the deep and tender friendship which existed between the President of the Southern Confederacy and the Commander-in-Chief of its armies.

J. M. Mason to Jefferson Davis.

(From Confederate Museum.)

Niagara—Canada, West—
June 7th, 1867.

My dear Sir:

I enclose a letter from McRae received under cover by last mail—I hope you will have received in advance, a letter under cover to Mr. O'Conor, which he says he sent to you, of which the enclosed is a duplicate—I enclose also his letter to me, the contents of which may interest you—please return it to me by early mail, as I desire to write to him before he leaves Europe—Let me hear if McRae's letter places in a satisfactory and secure arrangement, the matters about which we talked, and in regard to which I wrote him after seeing you in Montreal—

I hope you had a safe and pleasant run down the Lake, and found all well in Mountain street—how unfortunate that you left us so soon, had you remained till now, you would better have understood the early summer climate of Western Canada—the thermometer at 11 A.M. today, stood in the verandah at my front door in the shade though facing the sun, at 81°. Then again I brought with me from Toronto a supply of fishing tackle, and yesterday and today, in an hour or two, caught herrings enough to supply my table for a week— Ah! what you have lost by the perverse habit of having your own way— I hope however that indulging the like inclination, you will soon come back with Mrs. Davis and your family, to remain for the Summer.

Do write me of anything that may interest you, and more especially of anything in which I can serve you— With kindest regards from my household to yours

Yours my dear Sir
Most cordially
and truly

The Hon. Jefferson Davis. (Signed) J. M. MASON.

R. R. Stevenson to Jefferson Davis.

(From Confederate Memorial Hall.)

(Confidential)

My Dear Sir,

Permit me (an humble individual) to congratulate you upon your release from the "foul vapors of the dungeon" into which

you were so ruthlessly cast some two years ago, by a government that claims to be "the best the world ever saw." I sincerely trust that you may be permitted to enjoy liberty health and happiness as long as life is spared you.

By a strange concatenation of circumstances you will perceive by glancing at the end of this letter that you and I with others were charged by the Government of the U. S. in a horrid conspiracy to murder Union Prisoners of War at Andersonville,—and strange to say, this charge was fully sustained by a court martial composed, of men supposed to be "learned in the law." Those charges still remain I suppose in full force and virtue.

As I am an entire stranger to you in one sense of the word, It becomes necessary for me to say to you that I was a soldier in the Confederate service from Apl. 1861 to Apl. 1865. I am a Kentuckian by birth, and education (born and reared in the Ashland district). I raised a company (I) and joined the 2nd Regt. Ky. Vol. Infry. commanded variously by Hawes, Johnston (Col. Wm. Preston) Taylor, Roger Hanson &c.

Shortly after I entered the service I was promoted from Assist. Surg. to Surgeon. I served in the battle of Fort Donelson, made my escape with Forest and others, was in the Battle of Shiloh, the siege of Vicksburg in '62, Genl. Breckenridge commanding the Division.—The battle of Baton Rouge, the Battle of Murfreesboro 62/63,—where our brave Hanson fell—the battle of Jackson July 1863—the battle of Chicamauga Sept. 18, 19 and 20th/63, where our lamented Helm fell (I was one of his staff at the time)—in the battle of Missionary Ridge—in the Campaign from Dalton to the fall of Atlanta in 1864 at which time I was (in consequence of declining health) ordered by Genl. Joseph E. Johnston to report to Surgn. S. H. Stout Med. Director Hospital Army Tenn. who ordered me to report to Genl. J. H. Winder Commanding Confederate States Military Prisons Andersonville, at which place I worked almost incessantly day and night for four months trying to alleviate suffering humanity at that memorable place. I was then ordered from that place by Genl. Winder to Columbia S. C. to supervise the erection of another Prison with a direct view to its sanitary condition &c. The destruction of Columbia shortly after our arrival there—the death of Genl. Winder—the destruction of Salisbury and the N. C. R. R.—the success of Sherman's raid, and the final surrender of the Confederacy, all happening in rapid succession found me, in consequence of my connection with the prison department not only friendless, but worse, penniless— I privately

consulted one or two eminent lawyers, who advised me by all means to leave the country as soon as possible—by dint of my ingenuity and perseverance I succeeded in reaching Nova Scotia on the 1st of Sept./65 and have been living at this place trying to support myself and a little dependent and helpless family ever since and by the help of a Divine Providence I hope to succeed.

I feel that I have already trespassed upon your patience by the length of letter, but in conclusion I will state to you, that I have in my possession duplicate copies of provisions Hospital stores &c. furnished the prisoners at Andersonville, by the Confederate authorities during my service there (from the 1st Sept. 1864 to 1st Jany. 1865) and I have also copies of letters, telegrams &c from the War Department in relation to the prisoners which if properly compiled and arranged would show conclusively to the unprejudiced that the Court Martial that convicted and hung the unfortunate Wirz and that made his alleged co-conspirators guilty of assisting to murder purposely 10 or 12000 prisoners of War, was one grand stupendous farce,—that the testimony adduced on that trial by suborned witnesses was as false as their government is corrupt.

Any instructions or communications that you may deem necessary to give me upon the subject will be thankfully received.

By your most humble servt.
R. R. Stevenson M.D.
Upper Stewiacke P. O.
County Colchester, Nova Scotia.

To June 7/67
Hon. Jefferson Davis,
Montreal, Lower Canada.
endorsed: R. R. Stevenson, M.D. about Andersonville;
ansd. 20 June '67

Jefferson Davis to C. J. McRea.

(From New York Public Library.)

Montreal, Canada E., 12th June, 1867.

My Dear Sir: Yours of the 18th ulto., forwarded by Mr. Mason, has just been received. The original of this, which you inform me is a duplicate, has not come to hand. A short time since I wrote to you in relation to some letters of credit sent by you to Mr. O'Conor. At the same time expressed the expectation

that an arrangement would be made which would enable me to go to England, but that expectation has not been fulfilled, and the delay created apprehension as to final success. Deprived of means for the support of my family, I have had it in contemplation to form a business connection at Liverpool by which a subsistence might be earned. Here there is nothing for me to do, and until the pending prosecution of me is settled, it would be impossible for me to engage in any regular pursuit in our own country.

I regret that you think of going to South America. The condition in our country is sad indeed, but not without hope, and as well to bear present burdens as to open the way to better things, the country needs such as you are at home. If there be obstructions to your present usefulness they must be temporary, and when you can return and resume your former relations to those you know best, and by whom you are best known, there can be little doubt that you will find among them the largest field of usefulness and happiness. The dignity and fortitude with which our people have borne their trials equal their gallantry in the field and give earnest of the future. The spirit of vengeful persecution seems unmitigated in regard to myself, in which, however, I seem to be an exception, and this for the reason that persistent falsehood has made a wide-spread impression that I was accessory to the assassination of Mr. Lincoln, and that cruelty was practised on prisoners at the South by officers acting under my orders. The higher officers of the United States Government, if they ever believed either, have certainly long since known both to be false: but have not had the fairness to make the avowal and withdraw the infamous accusation.

Mrs. Davis, knowing my affectionate regard for you, wrote to you soon after my imprisonment, and subsequently wrote to you three other letters—two of them on business matters. I have feared they were delayed or miscarried, though such precautions were taken at this end of the line that interference could not probably have occurred except by the improper attention of some one at the other end. I will not trouble you with details of this matter, now past remedy, further than to say that it resulted in rendering your kindness less effective than it otherwise would have been, and you had a right to expect it would be.

I am desirous to see you before you leave, if you should finally decide to go to S. America. My means do not permit me to cross the Atlantic to gratify a wish, and unless relieved of the necessity of returning next fall, it could be little more than a

pleasure trip. I believe this was fully stated to you in my former letter, and will hope in your next to have more definite information as to your plans.

Then also it is probable there will be something more conclusive in regard to my own situation and consequent movements.

I have recently seen our friends Mason, Helm and Gen. Early. They are in Canada West and waiting like Micawber. Unless one had capital this seems to me a poor country for a Confederate; though it is due to the people to say that they have shown me more attention and cordiality than it would have been reasonable to expect.

With the hope of seeing you this summer by some one of the chances that might bring that to pass, and in any event tendering to you my best wishes for your prosperity and happiness, I am, as ever, your friend,

JEFFN. DAVIS

J. M. Mason to Jefferson Davis.

(From Confederate Memorial Hall.)

Niagara
17th June '67.

My dear Sir:

I wrote you about a week ago, enclosing a letter just rec[d] from C. J. McRae to mail London to you—having no reply, fear it may have got astray—I enclosed in it MaRae's letter to me and asked its return—

Please let me hear—

I have a late letter from Genl. Franklin Pierce in which he asks whether Mrs. Davis ever rec[d] a letter he wrote to her under cover to "Judge Lyons" at Richmond soon after he left F. M.

He did not hear from Lyons, altho' he wrote a second letter to inquire—

Perhaps you or Mrs. D's had better write to advise Genl. P.

Aren't you coming this way—

The weather is now delightful, and the field's green and inviting—

With kindest regards to Mrs. Davis,

Yours most truly,

(Signed) J. M. MASON.

Mr. Davis—

J. M. Mason to Jefferson Davis.
(From Confederate Memorial Hall.)

Niagara—C. W.
22 June, '67.

My dear Sir:

I had the pleasure this morning to receive your 2 letters of the 12th and 19th inst., the latter enclosing McRae's letter to me—I send under cover with this a letter to you from Benjamin which came to me yesterday—

I am somewhat surprized that McRae's letter to you was not official on the principal matter to which I presume it related—He will be I have no doubt in his replies to those we have written—if what you receive thro' the address you were requested to furnish, relates to any projected arrangement in regard to your future appearance in Court, please let me hear it—

In doubt what your address (is), I put under cover to Mr. *J. D. Corse* 2 days ago, a letter to you from my good friend, Mr. Beresford Hope of England—

Nothing new here, but all well, and bearing our lot cheerfully—

With and regards to Mrs. Davis,

Yours most truly,
(Signed) J. M. Mason.

Hon. Jefferson Davis.

J. M. Mason to Jefferson Davis.
(From Confederate Museum.)

Niagara—C. W.
June 28, 1867.

My dear Sir,

I put under cover to you a few days ago, a letter received for you from Mr. Benjamin—I now enclose one from McRae received this morning, to me—It acknowledges receipt of yours and mine from Montreal of the 27th and 28th May—His letter to you of the 12th June inst. is that I presume of which you spoke as received, in your last to me—I gather from McRae's letter that what remains to be done is, that you should send over to him the Bills you had in hand both 1st and 2d, and then the matter can be arranged there by Mr. Brewer, in the way he

proposes—This Mr. B. is the gentleman in whose hands for safety, the transaction was placed—It strikes me the better mode of remittance would be, that Bills of the same character as those returned, should be sent payable to some friends who you might name at Montreal.

Pardon these suggestions—but I feel much interested that the business should be safely transacted—

I enclose also a letter from Col. Helm which came today, sent to me that I might unite with him in his invitation, that you should pay us another and more protracted visit, in this quarter —I have not seen his house at St. Catherines, but am told it is most pleasantly situated, ample and commodious, and have no doubt that Mrs. Davis and your children could be benefitted and improved by the change—so pray come, and "stand not on the order of your coming, but come at once—" July is a charming month in this quarter, and I am sure we could make your residence agreeable, and profitable to your health at least—If you will let me know in advance two or three days, of the day when you will leave Montreal, I will meet you at Toronto, and your best and most agreeable route thence to St. Catherines will be, through Niagara—I will notify Helm, and he will meet you here with his carriage.

With kindest regards to you and your's

Your's most truly,

Return me McRae's letter— J. M. Mason

Hon. Jefferson Davis—

Beverly Tucker[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Drummondville July 1st 1867.

My dear Mr. Davis,

That very little visit to you made my old heart fresher, and yet I long for its repetition, and hope it is not far off, either in Canada West or East.

[1] Nathaniel Beverley Tucker was born in Winchester, Va., June 8, 1820, died July 15, 1890. He was educated at the University of Virginia; founded the "Washington Sentinel" in 1853, and was elected Printer to the United States Senate in December of that year. In 1857 he was appointed Consul to Liverpool, remaining until 1861; in 1862 he was sent by the Confederate Government to England and France and in 1864 to Canada to obtain commissary supplies.

After the War ended he went to Mexico and was there until Maximillian's brief reign was over, returning to the U. S. he resided in Washington, D. C. and Berkeley Springs, Va. See Tyler's Cyclopedia of Biography, Vol. IV, pg. 38.

You were so kind as to express a wish to see what I had written in relation to the conspiracy charge &c. I have been unable to procure you a copy of my "Address to the People of the United States", published two weeks after Andrew Johnson's proclamation of May 2nd 1865. After the publication of that Address, in the Canadian and American journals, and of other letters to which the charge gave rise, I determined to put the whole in pamphlet form, not bound, as the accompanying one is, and of which there were only a few for my immediate family, and friends, so that I could transmit them by post to every part of the world, whither I had been, or was known. You perhaps, did not see that simultaneously with the issuance of the Proclamation there appeared an elaborate Editorial in Mr. Seward's organ, the New York Times,—which stated in conclusion, that the photographs of the parties charged in that proclamation "had been sent to every police station in Europe, so that there would not be a spot on the habitable globe, where they would not be known as *branded criminals.*"! The "Address" is the chief production in the pamphlet, to which I invite your perusal, and of which I confess I should like to have your opinion. I need not say, that any such opinion is only for my own private satisfaction, and for no other use. It was variously criticized at the time. Many thought it too severe and sweeping, and some of these were of our *Southern* friends. Many again, and much the larger portion, approved, and in some instances extravagantly (I confess) complimented it—while almost every one thought I was flinging back the charge upon Andrew Johnson himself. I did not, nor do I yet, think this inference is entirely just. I *honestly suspected* him, as soon as I read the proclamation, so perfectly absurd and far-fetched was that document. I had then many things to *justify* that suspicion. What I intended however was only to draw the lead *very fine* on him, in showing that by all the rules of testimony,—*circumstantial* testimony, I mean,—suspicion of *complicity,* in the assassination, attached much *more strongly,* to him, than to *any one* of the parties named in his proclamation, and certainly, much more so, than to me, who not only had never dreamed, in my worst seasons of hatred to our enemies, of such a recourse to remove old Abraham out of the way, but who, it so happened *actually* had *never* so much as *heard* the names of J. Wilkes Booth, Surratts or any of the parties, then on trial, and afterwards convicted (?) and executed!

I still think, Johnson should be called to the witness stand in Surratt's trial, in which case, I believe, sincerely, that

acquaintance with Booth, if not *intimacy*, would be proved. These do not necessarily involve guilt, but if *I* were in his place, and were innocent, (as I now think it probable he is) I would *insist* upon being summoned.

The little pamphlette I send you is one I gave my little god-daughter two years ago, which I have borrowed for the two-fold purpose that you should read it, and return it to me, with your glorious autograph on the fly leaf, as a souvenir for the dear little girl. Her father,—the Revd. Canon Dixon, who visited you with me at Niagara, respectfully begs that you will put your autograph also upon his photograph of you, which I enclose.

These are little troubles to you, I know, but it is the *penalty*, that *such* as *you* in this world, must submit to for the gratification of your host of admiring friends.

I wrote Mrs. Davis from Ottawha, and indulge the hope that she may some day favor me with a few lines in return. Maggy and my boys will be here with us this week. What a glorious reunion! Mrs. T. unites in love to you, Mrs. Davis, and the dear children.

May our Father bless you and yours with every spiritual and temporal blessing earnestly prays

Your sincere friend

BEVERLY TUCKER

Honorable Jefferson Davis.)
endorsed: Bev. Tucker.

J. M. Mason to Jefferson Davis.

(From Confederate Memorial Hall.)

Niagara—C. W.
July 13th 1867—

My dear Sir,

I enclose a letter from our excellent friend Col. Mann, received under cover yesterday, as I presume he did not know your address in Canada—In his note to me, he gives his address only "Boulevard de la Madeleine, Paris," but he does not give the number—I do not know whether he has given it more exact to you, but if not, I suppose that address will reach him—

I have your's of the 8th inst—returning McRae's letter—the extract you give me from his to you, was never intended to

convey the idea, that *what he did*, was in any manner instigated by request, or intimation from you—a construction you say in your note accompanying the extract, might be put on it—I know it was the suggestion of his own mind, to come to your aid, as soon as he heard of your arrest—and your right, that the instruction to O'Connor was, to extend that aid as Counsel, as well to members of the Cabinet and others of like grade under arrest, as to yourself—I know that McRae would be mortified, were the idea to reach him, that he had been prompted to do what he did, by others—

I remark what you say of the arrival of I. T. at Montreal, and of your interview and communication with him—As far as I am concerned, should I fall in with him, that communication will be no matter of embarassment or otherwise to me—Should he come to see me, and broach the subject, I shall of course tell him exactly what I told you on the report of *Mr. B.* to me in London—I shall not volunteer it, as the matter is between those gentlemen, and I have no part in it—So far I have not heard that Mr. T. had appeared in these waters—

I was not aware that Mrs. Davis projected a visit, either to New York or further South, but should suppose that her absence, would be an inducement to you to come hitherward, under the invitation of Col. Helm and myself—from the tenor of your letter, it would seem to have impressed you otherwise—but we shall be glad to see you, whenever you are disposed to come—My friend and late Secretary, Mr. Macfarland, has been on a visit to me here for a few days, en route to England—He is to sail from Quebec on the 20th, and hopes to see you at Montreal, en route—He and I returned yesterday, from a visit of a day, and night to Helm at St. Catherines—He has a commodious and very agreeable residence there, where you, with Mrs. Davis and the little ones, would find yourselves very comfortable, and heartily welcomed—

I note what you say about the negociations still pending "with the opposite counsel," and when the result transpires, beg you will inform me—perhaps as an old lawyer, I could be of use in suggestions to you—

With the kindest remembrances of Mrs. Mason and my household,

Yours always and most truly,

(Signed) J. M. Mason

Hon. Jefferson Davis—

I desire to send *my especial regards*—Ida M—

Jefferson Davis to J. G. Ryan.[1]

(From Confederate Memorial Hall.)

"Montreal, C. E. 19 July, 1867.

To Col. J. G. Ryan,

My dear Sir: The cause in which you are engaged is one most near to my heart, and it will, I trust, be advanced by your efforts. The field you have chosen for your voluntary labors encourages hope of much success. A free, brave, Christian people may not be slow to hear and to respond to the call you make. The organization of the association in New Orleans gives full assurance that funds placed in the hands of its Board of Directors will be properly and judiciously applied. Thanking you for the zeal manifested, and wishing you prosperity and happiness, I am, very respectfully, yours,

JEFF'N: DAVIS."

J. G. Ryan to Mrs. Jefferson Davis.

2537 S. Halsted st. Chicago, Ill.
2.30 p.m. Feb. 13, 1890.

Mrs. Jefferson Davis,
Beauvoir, Miss.

Dear Madam,

It affords me a mournful pleasure to send you a true transcript of an *open letter* given me by your late distinguished husband, Jefferson Davis, President of the ex-Confederate States of America, when I was on a mission of love, in Canada, for the benefit of the Southern Hospital Association, New Orleans, General Dabney H. Maury, Secretary.

The document exhibits the feeling of sympathy Mr. Davis had for those who were then in suffering because of their devotion to the Lost Cause, and that, too, at a time when he himself was writhing under the oppressive weight of a barbarous tyranny. Its sentiments will go far to ward off the arrows of malice sometimes shot by even those who claim to be true Southrons, but persons not worthy of the respect of even President Davis' contempt.

Another thing: To illustrate how conservative and non-malice-bearing was Mr. Davis, I will here state for the benefit of his traducers, that when I went to Canada for the object and purpose herein alluded to, I *intended* to deliver an address, from the rostrum, to that people fully exposing the terrible

[1] Agent for Southern Hospital Association.

wrongs that the carpet-baggers were inflicting upon the South, but that Mr. Davis counseled me against such a course, and finally induced me to change my programme. He argued that I was a young man and having just been released from chains, having suffered for months in several prisons on supposition of being John H. Surratt, one of the alleged assassins of President Lincoln, I might, and naturally, too, use very strong language in defining my position, and that the enemies of the South, the venal politicians and ignorant, jealous fanatics would, of course, make great capital out of the same.

Knowing that Mr. Davis had just been himself released from prison, and the chains of tyranny stricken from his limbs, I was so overpowered by his Christian patriotism that I curbed my own desires to hold up Radical devilism to public scorn, and followed his advice, and laid my mission before the Canadians in language entirely different from my original intentions.

From that time forward, the exalted opinion that I had already formed of Mr. Davis' character continued to grow in my estimation until the brilliancy of *his* fame threw a glorious halo of splendor over the world's most dazzling pictures of history; and when God called him to Heaven, I believed that the Great Creator had called before His throne the grandest character known to Christian and patriotic fame.

My dear Madam, I hope this will find the sun of happiness rapidly driving the clouds of gloom from the household of yourself and family. May God ever be with you.

Your friend to command.

JNO. GEO. RYAN

A. J. B. B. Hope[1] *to Jefferson Davis.*

(From Confederate Museum.)

Connaught Place.
July 23, 1867.

My dear Mr. Davis:

Your letter of the 20th while giving the unwelcome (*to me*) news that when we were hoping to have the pleasure of seeing

[1] Hope, Alexander James Beresford (1820-1827), a political leader and author, was born January 25, 1820, was educated at Harrow School, and at Trinity College, Cambridge, where he was graduated in 1841. He entered parliament the same year as a conservative, and was not long out of parliament from that time until his death. From 1868 to 1887 he represented the University of Cambridge in parliament. During the civil war in America he gave three lectures upon the issues involved, which he

you at Bedgebury you should be in Scotland, only . . . you to me as "probably" looking beyond the time which we named. May we then not assume that you will be back by the end of August or the beginning of September at which time it will give Lady Mildred and myself the greatest pleasure to see you and Mrs. Davis and her sister (with those of your family who may be at home) at Bedgebury. Pray remember me most kindly to your ladies and

Believe me my dear Mr. Davis

Yours very truly

(Signed) A. J. B. B. Hope.

The Hon^ble Jefferson Davis.

Lady Mildred is now for a short time in Scotland on a visit to her sister Lady Blanche Balfour, who is in delicate health in Haddingtonshire.

R. R. Stevenson[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

July 23/67

Hon. Jeff Davis,

I have just received your very welcome letter, and I am much gratified to learn your views upon the subject of the treatment of the Prisoners by those who were in immediate control of affairs at Andersonville.

I desire to say to you that I have compiled and arranged to the best of my ability a "Statement" of the treatment of the Federal Prisoners of War at Andersonville taken from duplicate copies of Official documents in my possession. I have connected these with the testimony given on the "Wirz trial" and I think it can be made to appear to the unbiased that Capt Wirz was innocent of the alleged crimes that cost him his life.

I propose to send you this "mansucript" by mail or otherwise, (and if necessary the original duplicate copies of supplies, letters, Telegrams &c &c) and you can then rearrange the "subject" as in your superior judgement you may think best.

By the assistance of some of our Confederate exiles in the Provinces and other places you will be enabled from certain

printed. He was greatly interested in archaeology and in ecclesiastical history. Late in life he wrote a successful novel. Mr. Beresford-Hope was the principal mover in the presentation to the State of Virginia, by a group of British gentlemen, of a statue of Stonewall Jackson. He died at "Bedgebury Park," Kent, England, October 20, 1887.

[1] Surgeon in charge of Confederate prison at Andersonville.

documents which they may possibly have in their hands, to make the subject appear in its proper light.

I beg leave to make these suggestions for the following reasons, first, I feel that I am not competent to write and arrange a "book" or "pamphlet" as the case might be, that would be circulated and read as extensively as I think this one would be; secondly, I am unable *pecuniarily* to give the subject that attention that would be required of me to insure its complete success,—aside from these considerations I think you are the person eminently fitted to supervise the compilation of such a work.

I most respectfully submit these points for your more mature judgement, feeling satisfied that under the downtrodden condition of our countrymen that there should be no time lost in getting the subject properly before the civilized world.

Trusting that I may hear from you soon,

I am Yours very truly,

R. R. Stevenson M. D.
Upper Stewiacke P. O.
Co. Colchester, N. S.

To
Hon. Jefferson Davis,
Montreal, Province Quebec,
Dominion Canada.

endorsed: R. R Stevenson, M. D.; about Andersonville Prisoners, records, &c.

Geo. Moffat to Jefferson Davis.

(From Confederate Museum.)

103, Eaton Square,
S. W. 6th August 1867.

My dear Mr. Jefferson Davis—

Mrs. Moffatt's ill health and compelled absence from London —have made me very negligent of you for the past month or six weeks: I called yesterday to find that you had flown Northward at which I rejoiced—but I don't much believe in the crowd and bother of a great City like Glasgow—being the best medicine for your delicate state of health—pray get away to Inverloshy Castle—as soon as you can.

I am quite sure that if you write to tell Abinger that you are going there—he will order you to be made very comfortable if then unable to be with you: it is good sea air—very mild

and soft with very noble scenery and a large well ventilated house.

Pray let me know of your health and movements—writing me to

The Friars,
Aylesford,
Kent— where I shall hope to entertain you on your return to the Southern portion of this "Swan's nest in the ocean."

Ever faithfully yours,
(Signed) Geo. Moffatt.

J. M. Mason to Jefferson Davis.

(From Confederate Museum.)

Niagara—Canada West
August 12th 1867.

My dear Sir,

Your last was of the 8th July, in which you spoke of Mrs. Davis having gone to the South, and acknowledged receipt of Col. Helm's and mine, in which the former urged you with Mrs. Davis and family, to pay Mrs. Helm and himself, a visit of some weeks at St. Catherines—the advantage of which, we might here enjoy at least incidentally—I gave your message to the Col. acknowledging his letter with thanks etc. He was here yesterday, but says he has had no letter from you since— He was disappointed in not hearing from you direct, and still more at your not coming— He has a large and commodious house (more than I can boast), and I think you and Mrs. D. would pay a pleasant visit—I remark what you say of your interview and conversation with Jacob T—, it was perhaps as well, but only to avoid misunderstanding, that you left him to hear from me, what I told you as coming from Mr. Benjamin—I never heard of his being in Toronto, or in his quarter, and presume he changed his mind and did not come— Nor did he in anyway communicate with me— I think I told you, that although I heard he was twice in London while I was there, I did not know it until he had gone— I hope in the interval since you last wrote, the matter pending in Europe, the subject of McRae's correspondence, has been satisfactorily closed, please let me hear. I have had nothing from him latterly—I saw by the papers that you had latterly been too adventurous and had

fallen among the brutes on the Vermont line, and thought on reading it, it might be a useful lesson— I regret very much that we are not near enough together, to keep me au courant in matters, or negociations, pertaining to your obligations on Bail— because I have thought from my knowledge of such things, I might possibly make suggestions, useful— Do let me hear when any progress is made, or any way seen out— Since your last I have enclosed you two letters that came under cover to me from Slidell, and Mann, respectively— Our plans for the future still unsettled—though we have pretty well determined, when we camp for the winter, to make it a tenantcy of two years at least—hoping that in that time, which covers the next election of President, the Yankees will realize the general smash up, which is impending, and when honest men, and gentle-men, may get back to their own— We shall however remain somewhere in this quarter of Canada, and if you are to continue an Exile, am anxious that we should be *neighbours*— I hope you have seen the report just made by the Attorney General at Washington (printed in the N. Y. Times of Friday last 9th inst) to President Andy, in the matter of Sandford Connor's application for pardon—it develops a rich mine of filth, depravity, and reckless villany, in the managers of the Surratt Trial, and the Impeachment—it is a God send to Andy—who would have credited that such materials in highest places of trust, could be found even in the Government of which they form part—the senses even of the Yankees, must have waxed gross and dull indeed, if such disclosures do not wake them up, to a knowledge of their condition——

I am glad to see by the papers that Mrs. Davis has safely returned to you——

Mrs. Mason and my Daughters unite with me in kindest regards to her and to you——

Yours very truly,

(Signed) J. M. Mason.

Hon. Jefferson Davis—

Paul Bagley to Andrew Johnson.

(From Confederate Memorial Hall.)

Washington D. C. Aug. 29th 1867.

Sir:—

You are aware that more than two years ago upon the evidence of witnesses who have since sworn that they were

false that a Proclamation was issued by the President offering a hundred thousand dollars for the arrest of Jefferson Davis that he was two years in prison, and sometimes in chains, that he has never been indicted or tried upon that charge and that he is now only released on bail to answer at Court in November next.

You are aware of the efforts of myself and others to induce Jefferson Davis to apply for pardon. Permit me to say, Sir, as a result of our labors that it appears to be impossible in the nature of the case that Jefferson Davis should apply for pardon so long as that Proclamation stands out against him without admitting that to be true which those who made (it) have sworn to be false.

The Law of God by Moses declares "If a man smite his man servant or his maid servant and put out his eye he shall let him go free for his eye's sake and if he smite out his man servants tooth or his maid servants tooth he shall let him go free for his tooth's sake (Exodus 23:26-7)

Now, Sir, if God will let his servant go free for his tooth's sake shall not the Executive of a great nation let a man go free for his two years imprisonment and his chains' sake?

Therefore the President is hereby prayed to enter a *nolle prosequi* in the case of the said Jefferson Davis.

If it be said that Mr. Davis was engaged in a rebellion which has shed much blood—*that* was the blood of war *this* is a time of peace. Because Joab "shed the blood of war in a time of peace" Solomon was charged to "bring down his hoar hairs to the grave with blood."

Blackstone declares that "any law which is contrary to the law of God is null and void," therefore if the President will act in the spirit of this law God will honor the President in honoring his law in entering a nolle prosequi.

In the love of Our Lord Jesus Christ

PAUL BAGLEY Missionary

Andrew Johnson
President of the
United States.
(notation on side)

"I told the Prest. that Judge Black had said "upon evidence in Judge Holt's brain" it was not intended to present this paper, it was done after the Prest. said "How would a Proclamation of Amnesty do?"

Paul Bagley to Jefferson Davis.

(From Confederate Memorial Hall.)

Washington D. C. Aug. 31st 1867

Sir:

In answer to the enclosed documents the President this day proposed "How would a proclamation of amnesty do?" and said he would promise nothing beforehand but I daily henceforth look for a settlement of your matters. I told him that Judge Underwood had proposed to me that I had done enough for Davis and now to give him up because he would not see me in Canada, that he (Underwood) could get negroes enough on a jury with a few white men to convict him that he U. would only take his Mississippi property away from him by fine and would try to have it bid in at a half a dollar per acre by his D's old slaves and that I (Bagley) could then go down there and preach to them."

Johnson said it "used to be fashionable to try a man before they hanged him."

I told Mr. J. that Judge Holt would not sign the paper requesting the Presdt. to withdraw the proclamation. The Presdt. was very stout about the matter at first but my information from Judge U. moved him much. You may not thank me if you are set free and your all is saved because I have neither done this at your suggestion nor any body elses but for my masters sake who will reward me. If I thought you still an enemy to the Govt. I would not do it.

God bless you and family

(Signed) Yrs. BAGLEY

Paul Bagley to Andrew Johnson.

(From Confederate Memorial Hall.)

Washington D. C. Aug. 31st 1867.

Sir:

It is known that more than two years ago the President made a Proclamation implicating Jefferson Davis in the assassination of President Lincoln,—that a hundred thousand dollars was offered for his arrest that he was two years imprisoned and

sometimes in chains—that he has never been tried or even indicted for the charge set forth in that Proclamation.

In the name of God the President is this day entreated to *withdraw that Proclamation.*

Entreated because if its charge could have been sustained he doubtless would have been indicted and tried upon that charge.

Entreated because he has never been indicted upon the charge and it is thus given up as unfounded.

Entreated because it has brought untold suffering to the prisoner and to millions with him and is working evil and only evil and unnecessary evil to the country and to the whole country to-day.

Evil to the Constitution the Judiciary and the truth loving heart of the people because it proclaims a charge which it has never attempted to prove.

Evil to the once disloyal portion of the body politic because it is a ball that will not allow the wound to heal.

O, Sir, if the unutterable gratitude of millions can move the heart of the President and it is not doubted surely the Proclamation will be withdrawn and the gratitude given. Then your prisoner would stand on equal ground with others who rebelled and like them could apply for pardon. Then, sir, the labors and tears and prayers of your suppliant would be answered, the undying demands of Justice would be met and the accomplishment of the long cherished desire of the President would be facilitated even the reconciliation of the people and the healing of the wound of the nation.

In the love of Jesus

PAUL BAGLEY Missionary

Andrew Johnson
President of the
United States.

J. E. Johnston to Jefferson Davis.

(From Confederate Memorial Hall.)

Abingdon, Va., Sepr. 30th 1867.

Sir,

I have been informed by a friend, that a paper dated in February 1865, addressed by you to one of the houses of

Congress or to certain members of that body, is in the possession of Mr. Wharton, formerly attorney general of Mississippi. The paper is described as a series of attacks upon all my previous conduct as a Confederate officer. It has been shown to Gov: B. G. Humphreys and Col: Jas. M. Kennard,—and, I suppose, many others. I therefore respectfully request you to instruct Mr. Wharton to give Col: Kennard a copy for me.

I make this request in the belief that you will gladly give me the means of knowing what these allegations are—since they have been circulated by your friends, that I may have an opportunity to defend myself.

Most respectfully
Your obt. Servt.
J. E. JOHNSTON

Hon: Jefferson Davis.

Thos. Worthington to Jefferson Davis.

(From Confederate Memorial Hall.)

"Private."

Ottawa (Canada) 1st Oct. 1867.

Sir:

Having strongly sympathised with you and the "gallant South" in your struggle for liberty and northern domination I now feel it to be my duty to place before the following fact—on travelling from Prescott, on the river St. Lawrence by sail to this City, on the 26th ulto. I made the casual acquaintance of what appeared to be respectable Yankee from the state of New Hampshire; from him I learned that there was a settled determination on the part of your enemies to take the law into their own hands with reference to your freedom and even life.

While I am no alarmist, my conscience has been ill at ease advising me of what should be done, by stating the fact,—and leaving yourself to determine the course to be adopted.

You will please excuse this liberty and intrusion, and I trust and hope that a good Providence will still preserve you from all the machinations of your enemies.

I beg to remain, Sir, Yours very faithfully,
(signed) THO: WORTHINGTON

endorsed:
Thos. Worthington; warning; Ansd. 3 Oct. '67.

Jefferson Davis to Mrs. Semple.

(From Mississippi Department of Archives and History.)

Baltimore
11th Oct. 1867

Dear Mrs. Semple; It will give me pleasure to see you and the young ladies who may accompany you, whenever it may be most convenient to you, but as you request me to indicate a time, I name the hour of 2 o'Clock to-morrow, tuesday subject to your finding that time agreable, and asking you if it is not so, to name another hour.

Very respectfully your's &c
JEFFERSON DAVIS

Jefferson Davis to J. E. Johnston.

(From Confederate Memorial Hall.)

(23)
Lennoxville, Canada 23 Oct. 1867.

Sir,

I have the honor to acknowledge your's of the 30th Ulto. asking me for a copy of "a paper dated in Feby. 1865, addressed by you (me) to one of the Houses of Congress or to certain members of that body" as you further state "the paper is described as a series of attacks upon all my (your) previous conduct as a confederate officer."

The recital is certainly inaccurate both as to the address and purpose of any thing I may have written regarding you. That your conduct as a military commander did on various occasions seriously disappoint me cannot have been new to you; but that my disapproval was made the subject of a message or of a circular is not possible. Though your application is for a copy of such a public paper, yet the last paragraph of your letter implies something more. I will therefore write by this mail to my friend Genl. Wharton and authorize him if he has any letter of mine affecting you and "circulated" as you suppose, to send to you a copy of it.

That he may exactly understand your request I will furnish him with a copy of your letter.

Very respectfully, &c &c
JEFFN. DAVIS.

To Genl. J. E. Johnston,
Abingdon, Va.

Jefferson Davis to T. J. Wharton.

(From Confederate Memorial Hall.)

Lennoxville, Canada, 23 Oct. 1867.

My dear Sir:

Enclosed I send a letter from Genl. J. E. Johnston and my reply to it. I do not know to what he refers but from the date Feby. 1865 can imagine it to be an explanation of the considerations which led me to remove him from command in Georgia. I recollect the efforts which were made to impair public confidence in the Administration because of that act, the blameworthy feature of which was, I now believe, that it was so long delayed. To form an opinion upon the conduct of Commanders in the Army was a part of the duty of the Executive, whether the judgement was more or less just, the expression of it, for the public interest, could hardly be denominated an attack, except by one whose partizanship or egotism reversed the relation of the parties. It is late to open questions which could only have been profitably discussed when the records were available for references. You will understand the good natured friend who made the report and can measure the accuracy of his statement; it is only for me to say I am fully assured that you have acted from friendship for me, and without hostility to Genl. Johnston. The best claim to a copy of a letter not intended for the public is I admit that presented by Genl. Johnston in the last paragraph of his letter; viz. that it has been made public by being circulated by the friends of the writer; and is detrimental to the claimant for a copy. You will judge according to your knowledge of the facts, and you are authorized, if you warrant the application, to send to Genl. Johnston the copy he requests of any letter of mine which may be indicated by the description he gives.

As ever very truly,

Your friend,

JEFFN. DAVIS.

Genl. T. J. Wharton,
Jackson, Missi.

endorsed:
ansd. Sept. 30 1867 J. E. Johnston, with letter to T. J. Wharton copies here folded together.

W. F. Howell[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Montreal C. E. Nov. 4th 1867.

My dear Sir,

Yours of the 2nd inst. reached me this morning. By the enclosed copies you will see that your suggestion has been acted upon without delay, and I trust, should such conspiracy really exist, may prove the means of destroying it, and of bringing the scoundrels engaged in to to justice.

Becket and I were both disappointed in not meeting you during your visit here. We were engaged getting the necessary "material" ready for shipment to Chatham, and only learned of your having been in the City after your departure.

The distillery will not be in working order for at least a month, do you wish Becket to go there before it is in operation?

The family here are all well, and unite in congratulating you upon the entire recovery of little Winnie, and hope for a speedy restoration to health for her nurse.

By a letter of Sisters to Jennie, I learn that we may expect Ma here during the early part of this week; she will probably go to Mr. Lovell's. With love to Maggie and the children, I remain,

Very affectionately
Your Brother, W. F. Howell.

Hon. Jeffn. Davis,
Lennoxville,)
endorsed: W. F. Howell, ansd. 6th Nov. '67.

W. F. Howell to Jefferson Davis.

Montreal, Oct. 29/67

Dear brother Jeff

Father Finnegan of the Jesuit School here, whom you met with Father Monroe, has just returned from the States, while there he learned of a conspiracy against you to be put in effect whenever you return to Richmond. I write in order that you may communicate with him on the subject, should such be your wish I can deliver to him your letter.

No late news from Ma, the family here are all well, and join

[1] Brother-in-law of Mr. Davis.

in much love to you and those with you. Pardon me if I suggest that it might be to your advantage to communicate at once with Father Finnegan.

Wishing you a happy issue out of all your difficulties, I remain ready to serve you, and

Affectly
Yr. brother
W. F. Howell

Hon. Jeffn. Davis
Lennoxville, C. W.
endorsed: W. F. Howell, ansd. 2nd Nov. '67

Rev. John H. Finnegan to Genl. Wm. H. Carroll.

Copy

Being in search of a runaway scholar whom I traced to Cape Vincent N. Y. I was there taken by one Rossman for a detective, and by him I was told of a plot to assassinate Mr. Jeff. Davis, the deed to be done by two negro barbers. He stated that there were one hundred men in the conspiracy, which caused me to doubt his whole story. His desire, as he stated, was to inform Mr. Davis of this, consequently he gave me no details. I however, told him that I would myself inform Mr. Davis of the whole affair, which I have caused to be done.
Nov. 4th 1867. (Signed) John H. Finnegan
To Genl. Wm. H. Carroll.

Copy

Montreal C. E. Nov. 4th 1867.

Chas. O'Connor Esq.
New York,
Dear Sir,

By advise, as the Senior Counsel for the defense of Mr. Davis, I enclose to you the accompanying statement.

Father Finnegan is a member of the Jesuit College of this City. Any communication you may please to address to him, under cover to me, will be delivered at once.

I have the honor to remain Sir, Your obdt. Svt.
(Signed) W. F. Howell.
Box 67½ Montreal P. O.

Charles Minnigerode[1] *to Jefferson Davis.*

(From Confederate Museum.)

Richmond, Va.
5 Nov. 1867.

My dear and honored Sir

It is but natural that my mind always faithful in its remembrance of you, should turn to you more than ever, now as the time is coming on when we shall see you here—and God grant, under such circumstances as may be overruled into consistency with truth and justice.

My desire was to ask you, to make my humble home your residence while you are here—and I would be only too glad, if this agreed with your views.

My own judgment, I am sorry, to confess, has been convinced by others that it will be more expedient for you to stay where you were before, at the Spottswood Hotel. I know that all the Hotel-Keepers in Richmond would be and are most anxious, to have you as their guest and would vie with each other in attentions. But Mr. Milward is your old host and I believe personally devoted to you. It is at his earnest request, that I now write to you and endorse his own invitation which he sent you in two different letters.

Your former rooms are ready for you, and any other accommodation at your disposal that may be desirable.

If you are not to stay with me, I would like for you to be near us; and I believe you could not be made more comfortable

[1] Charles Frederic Ernest Minnigerode was born at Arenburg, in Westphalia, Germany, Aug. 6, 1814. The family is one of the oldest baronial families of Germany of the Harz Mountains. He was educated at the University of Grisen. During his university days in 1834, when the whole of Europe was in political ferment caused by the revolutions in France, Poland and Belgium, he became a member of a student society devoted to freedom which was suspected by the Government. Minnigerode was arrested and imprisoned. He refused to turn informer, and remained three years in solitary confinement. After being released in Sept., 1839, he came to America and settled in Philadelphia. In 1842 he accepted the Chair of Professor of Ancient Languages at William and Mary College, Virginia. In 1846 he was ordained a clergyman of the Episcopal Church. For thirty-three years he was rector of St. Paul's, Richmond. His ministry at St. Paul's covered the war period, 1861-65; Jefferson Davis and Robert E. Lee were members of St. Paul's during that time. During Mr. Davis' imprisonment, Dr. Minnigerode was allowed to visit him every two weeks. At the close of a thirty-three years' ministry at St. Paul's he retired as rector emeritus and was given a handsome bonus and pension. He spent the last years of his life in Alexandria, Virginia, and died there Oct. 13, 1894.

any where, nor would you be so convenient to the attendance to any thing connected with your stay here, at any other house.

I abstain from enlarging on all I feel and hope for you and yours. You know, how I have you in my heart and remember you in my prayers. I will only add my kindest regards and best love to Mrs. Davis and all your household—and most earnestly invoking God's blessing upon you, I remain

Yours faithfully and affectionately

(Signed) Chs. Minnigerode.

Hon. Jefferson Davis.

J. M. Mason to Jefferson Davis.

(From Confederate Museum.)

Niagara—Ontario.
November 6th, 1867.

My dear Sir,

I write this to take the chances of finding you yet at Lenoxville—I see the letter writer from Washington to the N. Y. Herald, under date the 4th inst,—announces it as "*definitely settled,*" that the trial of Mr. Davis will be postponed until May—for reason, that the Chief Justice can then certainly be present—that the postponement was asked by the counsel for the Government and acceded to by yours—Letter writers are to be sure little to be relied on, but this recommends itself to me, as the more probably true, because it chimes with a settled conviction on my part, and for which I have given you my reasons, that as the matter was under the control of the Chief Justice, and I was satisfied that he dared not rule the offence imputed, Treason—I was equally satisfied that he would never allow a Trial when he was to preside—If it be true that a trial be thus evaded, under pretext of postponement, I hope the counsel for the Government have had the decency by arrangement with yours, to dispense with your present attendance at Richmond—and thus that the impending annoyance has passed by—this could easily be done, (with consent of your Bail), by continuing the recognizance of bail to the Spring term—We are all impatient to learn that you have been relieved from this vexatious journey—if it be so, pray let us hear, if even by a line—

A letter from Col. Helm a day or two since informed me, that he had heard from you, and that all arrangements about

coming yourself, or sending your family to this quarter were left uncertain, by the absence of Mrs. Davis—who had been called away by the illness of her Mother—We hope that occasion too has passed by, and that you are all once more together—

With kindest regards from Mrs. Mason and my household to yours, I am as ever, my dear Sir,

Yours most sincerely,

(Signed J. M. Mason.

Hon. Jefferson Davis—

Mrs. Robt. Ransom to Jefferson Davis.

(From Confederate Museum.)

Wilmington, N. C.
Nov. 28th /67.

My dear Mr. Davis:

I have just heard that a letter would certainly reach you if sent at this time to Richmond, and I hasten to write, and beg you, if it is possible, to pay us a visit, if only for a single day. We would be so truly happy to see you. Some time since I wrote a long letter to Mrs. Davis, but as she has not replied to it, I must think she did not receive it. I sincerely hope you left your family all well. I was truly pained to see the death of Mrs. Howell; to her it is a blessed change, but I know too, to those she has left it is a severe affliction. We have all felt deep anxiety for you; but if heart-felt prayers can avail, they are yours. Where did you leave Mrs. Davis and the children? When Mrs. Davis was here last Spring she promised me Maggie, and it was on this subject I wrote her. I am sure 'tis your wish to educate her in your own Southern home, and nothing could afford us more pleasure than to have her. I have first-class Professors of French and Music and in all branches the best teachers. I will watch over her as my own child and feel confidant of her improvement. We have a large school, and my exertions are that it shall equal any other North or South. If you will consent to intrust your child to us, we will do a parent's part by her, and it shall not cost you anything. I will consider it a great favor to me.

My Husband's health is not good. Our little ones are very promising. I know, my dear friend, you have many demands upon your time, but a few lines from you I would truly value.

Mr. Ransom sends you his kindest regards and joins me in hoping to see you here.

Please give my best love to Mrs. Davis and tell her not to forget the photographs she promised me.

Please excuse my troubling you.

I am your sincere friend,

(Signed) MINNIE H. RANSOM.

Direct to Mrs. Robert Ransom,
Care, of Genl. Ransom,
Wilmington, N. C.

Case of Jefferson Davis.[1]

Statement of the Case.

The City of Richmond, the capital of the Confederate States, having been evacuated by the military forces of that government on the second and third days of April, 1865, the Honorable Jefferson Davis, the president of the Confederate States, left that city, with his cabinet, and proceeded to Danville, Virginia. He remained at this place endeavoring to reorganize resistance to the armies of the United States, when the surrender of General Lee on the ninth of April, at Appomattox Court House, destroyed all hopes of present success in Virginia; and on the eleventh he proceeded to Greensboro, in North Carolina, fifty miles distant, whither he summoned Generals Johnston and Beauregard, then commanding the Confederate troops in North Carolina, which were facing and falling back before the armies of General Sherman. While here the pressure of military necessities forced Johnston into negotiation with Sherman for a general pacification of the States of the South, forming the Confederate States, on the basis of a return of States and citizens to their positions as members of the United States, and an absolute cessation of all resistance to the laws of the United States.

These negotiations did not meet with the approbation of Mr. Davis, and he left Greensboro while they were pending, accompanied by his cabinet and a cavalry escort of detachments from Ferguson's and Dibbrell's brigades of Wheeler's division. He journeyed at easy stages of twenty miles a day, and halted at Charlotte, ninety miles distant from Greensboro, to learn the

[1] From Decisions of Chief Justice Chase in the Circuit Court of the United States for the Fourth Judicial Circuit, 1867-1871. By Bradley T. Johnson of the Virginia bar, 1876.

result of the memorandum, or basis of agreement for a peace, which had been signed by Johnston and Sherman on the eighteenth, four days after his departure from Greensboro.

The President of the United States disapproved the memorandum of the eighteenth of April, just referred to, and Johnston, on the twenty-sixth, entered into and executed a military convention with Sherman, by which his whole command, comprising all troops east of the Chattahoochie, were bound to lay down their arms on condition of being paroled to remain unmolested while they obeyed the laws, the officers being allowed to retain their sidearms. As soon, however, as Mr. Davis learned of the failure of the memorandum of the eighteenth, he proceeded with his escort through Abbeville, South Carolina, to Washington, Georgia, which place he reached on the second of May. On the fourth he dismissed his escort, and on taking leave of its commander said:

"I expected to cut my way through to a place of safety, with the two detachments of cavalry along with me, but they have become so much demoralized by the reports of stragglers and deserters from Johnston's army, that I can no longer rely on them in case we should encounter the enemy. I have therefore determined to disband them and try to make my escape, as a small body of men can elude the vigilance of the enemy easier than a larger number. They will make every effort in their power to capture me, and it behooves us to face these dangers as men. We will go to Mississippi, and there rally on Forrest, if he is in a state of organization, and it is to be hoped that he is; if not, we will cross the Mississippi river and join Kirby Smith, and there we can carry on the war forever.

"Meet me south of the Chattahoochee, as this department has been surrendered without my knowledge or consent."

Leaving Washington he proceeded, with the officers with him, and his family, westward through Georgia, when on the tenth he was captured with his whole party at Irwinsville, Wilkinson County, by Lieutenant-Colonel Pritchard of the 4th Michigan Cavalry, and a part of his command, belonging to Wilson's Corps. With him were John H. Reagan, late governor of Texas, and subsequently postmaster-general of the Confederate States, Colonel Burton N. Harrison, private secretary of the President, Stephen R. Mallory, secretary of the navy, and others, with a train of five wagons and three ambulances.

He was taken to Savannah and thence by steamer to Fortress Munroe, in Virginia, where he was confined in one of the casemates of the fortification until the thirteenth day of May, 1867,

when he was released on bail, in the manner and under the circumstances which it is the purpose of this statement to record.

During the time between the surrender of General Lee on the ninth of April, and the arrival of Mr. Davis at Washington, Georgia, on the second of May, momentous events were transpiring elsewhere.

The President of the United States was assassinated at a theatre in Washington on the night of April fourteenth.

Andrew Johnson, vice-president, immediately took the official oath and assumed the duties of president, and the whole country was thrown into a paroxysm of excitement. On the second of May, the day the President of the Confederate States reached Washington, Georgia, the President of the United States, issued the following proclamation:

"*Whereas*, it appears from evidence in the Bureau of Military Justice, that the atrocious murder of the late president, Abraham Lincoln, and the attempted assassination of the Honorable William H. Seward, secretary of state, were incited, concerted, and procured by and between Jefferson Davis, late of Richmond, Virginia, and Jacob Thompson, Clement C. Clay, Beverly Tucker, George N. Sanders, W. C. Cleary, and other rebels and traitors against the government of the United States, harbored in Canada:

"Now, therefore, to the end that justice may be done, I Andrew Johnson, President of the United States, do offer and promise for the arrest of said persons, or either of them, within the limits of the United States, so that they can be brought to trial, the following rewards: one hundred thousand dollars for the arrest of Jefferson Davis; twenty-five thousand dollars for the arrest of Jacob Thompson, late of Mississippi; twenty-five thousand dollars for the arrest of George N. Sanders; twenty-five thousand dollars for the arrest of Beverly Tucker; and ten thousand dollars for the arrest of William C. Cleary, late clerk of Clement C. Clay. The Provost-Marshal General of the United States, is directed to cause a description of said persons, with notice of the above rewards, to be published."

The Attorney-General of the United States, the Honorable James Speed, of Kentucky, had on the previous day given his official opinion in writing to the President of the United States, "that persons implicated in the murder of the late President Lincoln, and the attempted assassination of the Honorable William H. Seward, secretary of state, and an alleged conspiracy to assassinate other officers of the Federal Government at Washington City, and their aiders and abettors, are subject to the

jurisdiction of and legally triable before a military commission."

On the first day of May therefore, the President of the United States, issued his order, reciting this opinion of his Attorney-General, and directing the Assistant Adjutant-General to detail nine competent military officers to serve as a commission for the trial of said parties, and that the Judge Advocate-General proceed to prefer charges against said parties for their alleged offenses.

The proclamation offering the reward for Mr. Davis on its "appearing from evidence in the Bureau of Military Justice" was made the next day, May second, and it is clear, therefore, it was the intention of the Government of the United States at that time to try him before a military commission on the charge of having procured the assassination of Mr. Lincoln. He was captured, as we have seen, by Lieutenant-Colonel Pritchard and a detachment of cavalry, on the tenth of May.

As soon as he was in custody at Fortress Munroe, preparations were made to try him. Notwithstanding the proclamation of May second, offering a reward for his apprehension as an inciter in the murder of Mr. Lincoln, the government at once resolved to prosecute him for treason.

About the same time the President of the United States sent the Hon. Preston King, of New York, to Judge John C. Underwood, judge of the United States district court for the district of Virginia, to request the latter to wait upon him at the executive mansion in Washington. The consultation between the president and the judge was had at once, the subject of it being the prompt initiation of legal proceedings against the leaders of the civil war (on the losing side of course), some of whom they thought especially responsible for the late assassination.

The president learned, on inquiry, that a court was to be held in Norfolk during the month of May, and that the grand jury had been already summoned. He and Mr. King expressed the desire, and believed it to be the duty of the court, to present to the grand jury the views of the Supreme Court of the United States, as expressed by Mr. Justice Greer, that the late civil war was a rebellion, and that those who had been engaged in it were, not only enemies to the United States, but were also guilty of treason, and that the more prominent and guilty leaders ought to be indicted for their conduct, resulting, as they thought, and culminating in the assassination of Mr. Lincoln.

Although Judge Underwood had previously taken the position that the great conflict had outgrown the character of a rebellion, and had assumed the dimensions of a civil war, and that sound

policy and humanity demanded that the technical treason of its beginning should be ignored, and that it should be treated only as a civil war, and those engaged in it only as enemies, he says that under the overwhelming excitement of the times, he for a time distrusted his own judgment, thinking, perhaps, that his education in the principles of the Society of Friends and his former hostility to capital punishment had misled him, and he consented to charge the jury as they advised.[1]

After this interview he proceeded to Norfolk, opened the court there, and did charge the jury in the precise language suggested by the President and Mr. King, with the limitation that it would be improper to include in their presentments any but the most influential and guilty, naming no one. Upon this the grand jury found an indictment against Mr. Davis and others for treason, but the motion of the District-Attorney for bench warrants was refused, the court taking the ground that in no event would bench warrants be issued against those who had surrendered to commanding generals on parole, and who had kept the faith on which the parole was granted. This indictment has been lost from the records of the court during the summer of 1865. The case of Mr. Davis was specially considered in the cabinet, and the question discussed whither he should be prosecuted in Virginia, Maryland, Pennsylvania, or the District of Columbia, acts of war having been committed within each of those jurisdictions by the armies of the Confederate States, of which Mr. Davis was president and constitutional commander-in-chief.

An indictment was found in the District of Columbia, but no process was ever issued on it, and matters remained thus until the twenty-first of September, 1865, when the Senate of the United States, by resolution, called upon the president for information on the subject of the trial.

In response to this inquiry the following reports were submitted from the secretary of war, Honorable Edwin M. Stanton, and the Honorable James Speed, attorney-general:

War Department, January 7, 1866.

"Sir: To the annexed senate resolution, passed on the twenty-first day of December, 1865, referred to me by you for report, I have the honor to state:

"1. That Jefferson Davis was captured by the United States troops in the State of Georgia, on or about the tenth day of May, 1865, and by order of this department has been, and now is confined at Fortress Monroe, to await such action as may be

[1] Memorandum furnished by Judge Underwood.

taken by the proper authorities of the United States government.

"2. That he has not been arraigned upon any indictment or formal charge of crime, but has been indicted for the crime of high treason by the grand jury of the District of Columbia, which indictment is now pending in the Supreme Court of said district. He is also charged with the crime of inciting the assassination of Abraham Lincoln, and the murder of Union prisoners of war, and other barbarous and cruel treatment toward them.

"3. The president deeming it expedient that Jefferson Davis should be put upon his trial before a competent court and jury for the crime of treason, he was advised by the law officer of the government that the proper place for such trial was in the State of Virginia. That state is within the judicial circuit assigned to the chief justice of the Supreme Court, who has held no court there since the apprehension of Davis, and who declines for an indefinite period to hold any court there.

"The matters above stated are, so far as I am informed, the reasons for holding Jefferson Davis in confinement, and why he has not been tried."

The then attorney-general enters into an argument to show that, although originally captured by the military, Jefferson Davis and other parties alluded to are, after a cessation of hostilities, subject to trial only by the civil courts.

The following are his official conclusions: "I have ever thought that trials for high treason can not be had before a military tribunal. The civil courts have alone jurisdiction of that crime. The question then arises: Where and when must the trial thereof be held? . . . It follows, from what I have said, that I am of opinion that Jefferson Davis and others of the insurgents ought to be tried in some one of the states or districts in which they in person respectively committed the crime with which they may be charged.

. . . . . .

"When the courts are open, and the laws can be peacefully administered and enforced in those states whose people rebelled against the government—when thus peace shall have come, in fact and in law, the persons now held in military custody as prisoners of war, and who have not been tried and convicted for offenses against the laws of war, should be transferred into the custody of the civil authorities of the proper districts, to be tried for such high crimes and misdemeanors as may be alleged against them."

On the sixteenth day of January, 1866, the senate called upon

the president for the correspondence between himself and Chief Justice Chase.

On the second day of February the president responded, enclosing the following correspondence between himself and the Chief Justice:

"Executive Mansion, Washington, D. C.,
"October 2d, 1865.

"Dear sir: It may become necessary that the government prosecute some high crimes and misdemeanors committed against the United States within the district of Virginia.

"Permit me to inquire whether the Circuit Court of the United States for that district is so far organized and in condition to exercise its functions that yourself, or either of the associate justices of the Supreme Court, will hold a term of the Circuit Court there during the autumn or early winter, for the trial of causes?

"Very respectfully,
"ANDREW JOHNSON.

"Hon. S. P. Chase,
"Chief Justice Supreme Court."

"Washington, Thursday evening, Oct. 12, 1865.

"Dear sir: Your letter of the second, directed to Cleveland, and forwarded to Sandusky, reached me there night before last. I left for Washington yesterday morning, and am just arrived.

"To your inquiry, whether a term of the Circuit Court of the United States for the district of Virginia will be held by myself or one of the associate justices of the Supreme Court during the autumn or early winter, I respectfully reply in the negative.

"Under ordinary circumstances, the regular term authorized by congress would be held on the fourth Monday of November, which, this year, will be the twenty-seventh. Only a week will intervene between that day and the commencement of the annual term of the Supreme Court, when all the judges are required to be in attendance at Washington. The time is too short for the transaction of any very important business. Were this otherwise, I so much doubt the propriety of holding circuit courts of the United States in states which have been declared by the executive and legislative departments of the national government to be in rebellion, and therefore subjected to martial law, before the complete restoration of their broken relations with the nation, and the supersedure of the military by the civil administration,

that I am unwilling to hold such courts in any such states within my circuit, which includes Virginia, until congress shall have had an opportunity to consider and act on the whole subject.

"A civil court in a district under martial law can only act by the sanction and under the supervision of the military power; and I can not think it becomes the justices of the Supreme Court to exercise jurisdiction under such conditions.

"In this view, it is proper to say that Mr. Justice Wayne, whose whole circuit is in the rebel states, concurs with me. I have had no opportunity of consulting the other justices, but the Supreme Court has hitherto declined to consider cases brought before it by appeal or writ of error from circuit or district courts in the rebel portion of the country. No very reliable inference, it is true, can be drawn from this action, for circumstances have greatly changed since the court adjourned; but, so far as it goes, it favors the conclusion of myself and Mr. Justice Wayne.

"With great respect, yours very truly,

"S. P. Chase."

While these efforts were being made to procure a trial of Mr. Davis on the charge of treason, the official allegation of his complicity in the assassination of Mr. Lincoln was crushed out under the common, general, and uncontroverted belief in its utter falsity, absurdity, and groundlessness. It was never made the basis of any action save the proclamation of the second day of May, 1865, when it was generally believed in the north that he had escaped from the country; and at the very moment that the assertion of the belief of the government of the United States in his criminality as charged, was being telegraphed wherever there was electrical wire, he was journeying quietly with his cabinet, family, and train of wagons and ambulances through the State of Georgia.

This terrible charge, so publicly made, was abandoned, because utterly without foundation or excuse, but it never was withdrawn. In the meantime the southern states, lately constituting the Confederate States, through their state legislatures, asked the Federal Government to release him and declare a general amnesty, and at the same time efforts, equally unavailing, were being made on the part of distinguished men in the north to procure his release on bail or parole.

A statement of these efforts, as communicated to the reporter by counsel,[1] is deemed a fit part of this report.

[1] The Honorable Charles O'Conor.

Had Jefferson Davis, or his party with his assent, raised the black flag, denied quarter to prisoners, or otherwise placed themselves, as combatants, beyond the pale of those rules which govern in war, he might have been shot without trial or ceremony, immediately upon his capture, or thereafter, at the captor's convenience. But he never occupied that position, and the government, if inclined, could not have signalized its triumph by ordering a military execution without provoking censures that few are willing to encounter. Probably no such inclination ever existed in any controlling mind.

When traitors and rebels oppose their government by open violence, and are summarily put down, those not slain in the combat may fairly be tried for treason in the civil courts and dealt with as ordinary criminals. The transaction constitutes only a species of riot. But far different results ensue when rebellion maintains itself so long and so effectively as to compel between itself, its people and their territory, on the one hand, and the lawful government on the other, an institution and acceptance of the rules and usages which obtain in regular wars between independent nations. Amongst men claiming to have attained a high civilization, war is recognized as a state or condition governed by law. In its conduct or at its close, morality and justice are not lost sight of. If successful, the rebels acquire the power of establishing an independent state, which all men regard as not only legitimate but honorable in its origin; if they fail, the victor may be as indulgent as he will or as far as he dare, may consecrate to his revenge the field of their ruin. Whatever severity can be justified at the bar of public opinion, may be practiced; and certainly no more should be exercised. To the latter proposition every magnanimous spirit will assent. Washington might have failed; Kosciusko did fail.

Trials for treason in the civil courts are not remedies adapted to the close of a great civil war. Honor forbids a resort to them after combatants in open war have recognized each other as soldiers and gentlemen engaged in a legitimate conflict. After they have established truces, exchanged prisoners, and thus made applicable to their hostile intercourse, the laws of chivalry, based upon an acknowledgment of mutual confidence and respect, the rules and usages of war can not in any event be departed from by either. It would be shockingly indecorous for the ultimate victor in such a conflict to send his vanquished opponent before the civil magistrate to be tried as if he were a mere thief or rioter. No soldier imbued with true sentiments of honor could ever consent to such an act. What honor forbids in

an individual, policy prohibits in a government. There would be something inexpressibly revolting and contemptible in the subsequent resort of a great power to measures of resentment on this small, mean scale which it actually feared to employ during the conflict.

Other considerations also apply. The civil tribunals have really no functions suitable to such cases. This is manifest as to the chiefs of the rebellion, and it is an exceedingly rare thing as well as a malignant folly ever to prosecute any others. According to the philosophy of government all punishments are inflicted by the executive. The judiciary investigates, ascertains guilt or innocence, and advises the executive of the fact. The latter then discharges the accused from bonds or inflicts punishment as the case may require. Strictly speaking, the judicial power, as a branch of the government, has no office in any criminal proceeding except to advise as to the law, and to inform the executive concerning facts not previously known. The facts requiring ascertainment are of course those only which may be deemed private until developed in proof before the investigating tribunals. Concerning acts which have reached such a measure of notoriety that they can not lawfully be gainsaid, judicial investigation or *trial* is impossible. It is obvious that every material fact in the action of Jefferson Davis against the government was of this public nature. It was known and officially recognized by the government in all its departments, that the war existed and that it had become substantially international in its character, thereby involving consequences of deep moment directly affecting every citizen of the republic. That Jefferson Davis was executive chief of the hostile belligerent, was a fact of similar publicity and in like manner known and acknowledged. All courts were bound to recognize these facts and to declare them. The judges could not have submitted them to a jury, nor could they lawfully have admitted any evidence in denial of them. *Pari ratione,* they could not have permitted them to be affirmatively proven by the government. Whenever such circumstances must attend them, trial and judgment can only be regarded as a mockery. Neither can be had without a palpable violation of fundamental principles. No reasonable man can deny that courts and juries are instituted only for the normal state of society. They are the civil police, and their functions are adapted only to the transactions, good and evil, of that condition. When battle is the recognized order of things, the crimes of vanquished combatants are to be condoned or punished according to the law that governs combats.

After an open territorial war of this kind had existed for four years, it might be thought by some that the rebels were still simply criminal violators of the municipal law; and that they ought to be dealt with as such. By way of reasoning it might be urged that the extent of their operations merely intensified their guilt, and should not in any way affect the question. But this reasoning, if such it may be called, proves too much. On the fall of a rebellious state, after sustaining a belligerent attitude for one hundred years, its chiefs and leaders might, with equal propriety, be brought to trial as traitors in civil courts, although they and their ancestors had for several generations, been uniformally regarded and treated as public enemies carrying on against the ultimate victor a regular national war. This can not be admitted. The law of nature forbids it; and there are broad and comprehensive doctrines deducible from the universal practice of nations which forbid it. And these doctrines are founded in necessity as well as in reason and justice.

Taking, under positive written law, the narrowest technical view of the subject, one is led to a like result. "Treason," says the constitution, "shall consist only in levying war against the United States or in adhering to their enemies." The latter word means the public enemy, and such enemy himself can not be the traitor. The characters are incompatible. This is a thoroughly established construction; and, consequently, in order to charge the southern confederates with treason under the municipal law it would have been necessary to establish that they were not public enemies in the judicial sense of that phrase, and also that they had *levied* war against the United States. Neither fact could have been truly asserted. Levying war means setting it on foot. Waging war is quite a different thing. It is only in the original conspiracy and in adapting its means to the purposes of active resistance that war can be *levied*. The offense of treason by levying war, as defined in the constitution, stops there. Subsequent acts may, indeed, sometimes serve to show that this offense has been committed; but those subsequent acts can not have that effect if in themselves they amount to waging a formal regular war by a public enemy and are accepted as such by the government. Practically a contrary conclusion results. Once the lawful government acknowledges the actual existence of public territorial belligerency, and exercises the rights consequent thereon, including the conversion of the opposite party into a public enemy whose acts, as those of a sovereign *de facto*, are imputable to all within his territory however innocent, thus impressing upon such persons a hostile

character, the preliminary action which may have been treason when it occurred, is divested of that character, and is no longer judicially cognizable as such. It is no longer susceptible of a separate consideration and must thenceforth be regarded only as an introductory step which has become part and parcel of the supervening war thus regularly instituted. Technically it is regarded as an incident merged in the principal transaction. A conflict marked by the features alluded to, is to be deemed a regular and formal public war, because it has been clothed with that character by the government itself. The acts of recognition producing this effect must be imputed to free consent, for a government can not set up duress in avoidance of its deliberate act. Marvellously destitute of self-respect must be the state that could offer such a plea.

From the time when actual war has been thus instituted, by mutual consent and recognition, Mars, not Themis, presides over all intercourse between the parties. As before stated, the behests of justice need not remain unfulfilled. The ultimate victor may use his power without ceremony, and inflict upon the vanquished any punishment their faults may merit. His own conceptions of duty to himself as a responsible member of civilized society is the only restraint upon his will. In drawing the line between a war levied and a war waged, narrow views may lead to the suggestion of some difficulties. Doubtless such might arise but they are not insuperable; nor are great principles, essential to the orderly action of civilized states, to be impugned for such reasons. Peculiar and abnormal cases, whether actually occurring or merely fancied as possible, are never allowed to confound just distinctions. Besides, the southern insurrection presented no such difficulties. It was a clearly defined and officially acknowledged public territorial war.

These views induced a belief that Jefferson Davis could not be lawfully convicted of treason, and that to compass his death by means of a civil trial, judgment, and execution, would be disgraceful to those who administered the government and discreditable to our people. Therefore, gentlemen at the North entertaining strong opinions against the right and the act of Secession, united in requesting counsel to interpose a defense should anything of the kind be attempted.

On or immediately prior to the thirty-first of May, 1865, it was rumored that Jefferson Davis had been removed from Fortress Monroe to Washington, and was to be there tried upon an indictment for treason. An application to the War Depart-

ment having eventuated in leave to that effect, an open letter tendering professional aid was sent to Mr. Davis. His unsealed reply was regarded as containing some objectionable matter, and was returned to him for correction. He did not alter it; so the tender remained unanswered; and an application by his counsel for an interview was refused on the ground that he was not in *civil* custody.

The next step in the business was a written application by counsel to President Johnson for the discharge of Mr. Davis on bail or on his parol. The letter was properly referred to the Attorney-General; but no formal answer to it was ever given. It was subsequently suggested that tendering as sureties some leading men who, during the struggle just closed, had been active and zealous supporters of the government, might facilitate a release on bail. In this exigency, Mr. Greeley consented to become a bondsman. On his suggestion, and, in part at least, by his agency, Commodore Vanderbilt and Mr. Gerrit Smith were induced to unite in the responsibility. At all times subsequently, until Mr. Davis' release, these three gentlemen held themselves in readiness to perform this service.

On the eighth of May, 1866, the Circuit Court of the United States for Virginia met at Norfolk, Hon. John C. Underwood presiding, and a grand jury was sworn, which presented the following indictment:

The United States of America, District of Virginia, to wit: In the Circuit Court of the United States of America in and for the District of Virginia, at Norfolk; May Term, 1866.

The grand jurors of the United States of America, in and for the District of Virginia, upon their oaths and affirmations respectively, do present that Jefferson Davis, late of the city of Richmond, in the county of Henrico, in the district of Virginia, aforesaid, yeoman, being an inhabitant of, and residing within, the United States of America, and owing allegiance and fidelity to the said United States of America, not having the fear of God before his eyes, nor weighing the duty of his said allegiance, but being moved and seduced by the instigation of the devil, and wickedly devising, intending the peace and tranquillity of the said United States of America to disturb, and the government of the said United States of America to subvert, and to stir, move, and incite insurrection, rebellion and war against the said United States of America on the fifteenth day of June, in the year of our Lord one thousand eight hundred and sixty-four, in the

city of Richmond, in the county of Henrico, in the district of Virginia aforesaid, and within the jurisdiction of the Circuit Court of the United States for the fourth circuit in and for the district of Virginia aforesaid, with force and arms, unlawfully, falsely, maliciously, and traitorously did compass, imagine, and intend to raise, levy, and carry on war, insurrection, and rebellion against the said United States of America, and in order to fulfill and bring to effect the said traitorous compassings, imaginations, and intentions of him, the said Jefferson Davis, afterward, to wit, on the said fifteenth day of June, in the year of our Lord one thousand eight hundred and sixty-four, in the said city of Richmond, in the county of Henrico, and district of Virginia aforesaid, and within the jurisdiction of the Circuit Court of the United States for the fourth circuit in and for the said district of Virginia, with a great multitude of persons whose names to the jurors aforesaid are at present unknown, to the number of five hundred persons and upward, armed and arrayed in a warlike manner, that is to say, with cannon, muskets, pistols, swords, dirks, and other warlike weapons, as well offensive as defensive, being then and there unlawfully, maliciously, and traitorously assembled and gathered together, did falsely and traitorously assemble and join themselves together against the said United States of America, and then and there, with force and arms, did falsely and traitorously, and in a warlike and hostile manner, array and dispose themselves against the said United States of America, and then and there, that is to say, on the said fifteenth day of June, in the year of our Lord one thousand eight hundred and sixty-four, in the said city of Richmond, in the county of Henrico, and district of Virginia aforesaid, and within the jurisdiction of the said Circuit Court of the United States for the fourth circuit in and for the said district of Virginia, in pursuance of such their traitorous intentions and purposes aforesaid, he, the said Jefferson Davis, with the said persons so as aforesaid traitorously assembled, and armed and arrayed in the manner aforesaid, most wickedly, maliciously, and traitorously, did ordain, prepare, levy, and carry on war against the said United States of America, contrary to the duty, allegiance, and fidelity of the said Jefferson Davis, against the constitution, government, peace and dignity of the said United States of America, and against the form of the statute of the said United States of America, in such case made and provided.

This indictment, founded on testimony of James F. Milligan,

George P. Scarbury, John Good, Jr., J. Hardy Hendren, and Patrick O'Brien, sworn in open court and sent for by the grand jury.

L. H. Chandler,
United States Attorney for the district of Virginia.

On the fifth of June, Messrs. James T. Brady, William B. Reed, James Lyons, and Robert Ould, were present at the opening of the court in Richmond as counsel for Mr. Davis. After the usual preliminaries, William B. Reed, Esq., of Philadelphia, then addressed the court as follows:

May it please your honor, I beg to present myself in conjunction with my colleagues as the counsel of Jefferson Davis, now a prisoner of State at Fortress Monroe, and under indictment in your honor's court for high treason. We find in the records of your honor's court an indictment charging Mr. Davis with this high offense, and it seemed to us due to the cause of justice, due to this tribunal, due to the feeling of one sort or another, which may be described as crystallizing around the unfortunate man, that we should come at the earliest day to this tribunal and ask of your honor, or more properly, the gentlemen who represent the United States, the simple question, What is to be done with this indictment? Is it to be tried? This is a question, perhaps, which I have no right to ask. Is it to be withdrawn or is it to be suspended? If it is to be tried, may it please your honor, speaking for my colleagues and for myself, and for the absent client, I say with emphasis, and I say it with earnestness, we come here prepared instantly to try that case, and we shall ask for no delay at your honor's hands further than is necessary to bring the prisoner to face the court and enable him, under the statute in such case made and provided, to examine the bill of indictment against him. Is it to be withdrawn? If so, justice and humanity seem to us to prompt that we should know it. Is it to be suspended or postponed? If so, may it please the court, with all respect to your honor and the gentlemen who conduct the business here, your honor must understand us as entering our most earnest protest. We ask a speedy trial on any charge that may be brought against Mr. Davis, here or in any other civil tribunal in the land. We may be now here representing, may it please the court, a dying man. For thirteen months he has been in prison. The Constitution of the United States guarantees to him not only an impartial trial, which I am sure he will have, but a speedy trial. And we have come no slight distance; we have

come in all sincerity; we have come with all respect to your honor. We have come with strong sympathies with our client, professionally and personally; we have come here simply to ask that question. I address it to the District Attorney, or I address it to your honor, as may be the more appropriate—What disposition is proposed to be made with the bill of indictment against Jefferson Davis now pending for high treason?

Major J. S. Hennessey, Assistant United States District Attorney, said that he had been entirely unaware of the nature of the application just made, and in the absence of the District Attorney, Mr. Chandler, he was not prepared to answer the question, but would immediately telegraph to that gentleman the fact of such application having been made. Mr. Chandler would probably arrive in Richmond this evening; if he failed to arrive, Major Hennessey stated that he would himself be prepared to answer the question to-morrow morning.

Judge Underwood (addressing the counsel for Mr. Davis).—I am to understand that will be satisfactory?

Mr. Reed.—Entirely so.

The court then adjourned.

On the assembling of the court the next day, Judge Underwood, addressing the Assistant District Attorney, said: Mr. Hennessey, we are ready to hear from you, whenever it suits your convenience.

Major Hennessey.—May it please your honor: As the answer of the government to the questions propounded by Mr. Reed on yesterday are considered of some importance, I have written them out, and propose to read them to the court. May it please your honor, yesterday, Mr. Reed, one of the counsel for Jefferson Davis, propounded certain questions to the court and to me, which, in the absence of Mr. Chandler, I at that time declined to answer. Mr. Chandler is still absent, being, I regret to say, entirely prostrated by a recent domestic calamity, and, as I promised, I to-day proceed to reply to the questions of the learned gentleman. That gentleman correctly says that an indictment has been found in this court against his client, Mr. Davis, and asks if it is to be tried, if it is to be dropped, or is it to be suspended? So far as I am instructed, I believe it is to be tried; but it will not be possible to do so at present, for a variety of reasons, some of which I proceed to give:

In the first place, Mr. Davis, although indicted in this Court for high treason, is not now, and never has been in the custody of this Court, but is held by the United States Government, as a State prisoner, at Fortress Monroe, under the order of the

President, signed by the Secretary of War. In the second place, even if Mr. Davis were in the custody of this Court, it would not be possible for the Attorney-General, in view of his numerous and pressing engagements at the close of the season, to come here now and try this case—which is a case of great national importance—which he would be expected to do. In the third place, if Mr. Davis is in the delicate state of health suggested by Mr. Reed, it would be nothing less than cruel, at this hot and unhealthy season, to expose him to the unavoidable fatigues of a protracted trial, which appears to be an inevitable result from the array of counsel, present and prospective, engaged for his defense. Neither this court nor any of its officers has any present control over the person of Mr. Davis, and until they have, it becomes impossible for the District Attorney to say when he will be tried; but this I assure the gentlemen who represent him here, that the hour Mr. Davis comes into the custody of this court, they shall have full and prompt notice when it is intended to try him, and so far as the District Attorney and his associates are concerned, they may be assured their case will have a just and speedy trial, without further let or hindrance. This I say for the special department of the court which I represent; but what the intentions of the government are, with regard to the disposition of Mr. Davis, I am no further instructed than I have said. I now move, may it please your honor, that this court, as soon as the business before it is disposed of, do adjourn until the first Monday of October next. By that time the heat of the summer will have passed away, the weather will be cool and pleasant, and should we have the pleasure of seeing these gentlemen here again, they will be more fitted for the arduous labor which their profession constantly imposes upon them. In the meantime, the crystallization process, referred to by the learned gentleman yesterday, will be going on, and his client will be enjoying the cool breezes of the sea at Fortress Monroe, instead of inhaling the heated and fetid atmosphere of a crowded court-room.

James T. Brady, Esq., of New York, one of the counsel for Mr. Davis, then said: If your honor please, I did not expect to say one word this morning in reference to the case of Mr. Davis, but some of the suggestions contained in what my learned friend has just read, make it proper for me to state that if Mr. Davis be not technically subject to your honor's jurisdiction, it is only because no copy of this indictment, so far as I am advised, has been served upon him, nor any list of witnesses, nor any act done of those which are required by the statute. It may be true, that in this technical sense he can not now be, and never has

been amenable to your authority; but my brother counsel, Mr. Reed, stated that Mr. Davis was not claiming the benefit of any of those wants of forms, but that on the contrary he was here to express, from his own lips, speaking through us, his ardent desire for an immediate trial. Although it may be very hot in Richmond, it is infinitely worse where he is, and so far as the convenience of the counsel is concerned, they care nothing for that convenience, impelled as they are by a sense of duty.

From my own experience in the city of Richmond, whose hospitality I have enjoyed certainly, I would be happy to remain here through the heats of summer or the frosts of winter. We can only say that we are entirely ready. We know that we can not control the action of the District Attorney. We thank him for his polite response to our questions, and of course we leave the question for such action as the government may think proper to take.

Judge Underwood.—It only remains for the court to say that the District Attorney has correctly represented the views of the government upon this matter. The Chief Justice, who is expected to preside on the trial, has named the first Tuesday in October as the time that will be most convenient for him. The Attorney-General has indicated that it would be utterly impossible for him, under the pressure of his many duties, now greatly increased by troubles on the Northern frontier, on so short a notice, to give that attention to this great question which it demands. Under all circumstances the court is disposed to grant the motion of the said District Attorney, and I think I may say to the counsel that Mr. Davis will in all probability at that time be brought before the court, unless his case shall in the meantime be disposed of by the government, which is altogether possible. It is within the power of the President of the United States to do what he pleases in these matters, and I presume the counsel for Mr. Davis would probably find it for the interest of their client to make application directly to the government at Washington, but this court would not feel justified in denying at the time the application both of the Chief Justice and Attorney-General. When the court adjourns, it will adjourn not until the next term, which is in November, but until the first Tuesday in October next, as it is supposed from the array of counsel on both sides that have been named it will be a long term, in which great political and constitutional questions are to be discussed and settled, probably taking two months. It would, undoubtedly, be much more comfortable for the counsel as well as Mr. Davis himself, to have these months in the fall rather

than in the summer, because it is in every way more comfortable in Richmond at that time than in the summer. I think the counsel is mistaken in supposing that Fortress Monroe is not as comfortable a place in the summer, as Richmond. When I have been there in the summer, I have found the sea breeze very refreshing.

Mr. Brady (to the court).—But very limited society.

The Court.—The society is limited. However, the government is disposed to extend every reasonable privilege, and I am happy to know that the wife of the prisoner is permitted to be with him, and that his friends are permitted to see him.

The motion of the District Attorney, is therefore granted. This court will adjourn, not until November, but until the first Tuesday in October, which time is preferred by the Chief Justice and Attorney-General. The case will then, if not before disposed of, be taken up.

On the seventh of June the Honorable Charles O'Conor of New York, and Honorable Thomas G. Pratt, Ex-Governor of Maryland, representing Mr. Davis, and the Honorable James Speed, Attorney-General of the United States, waited upon Chief Justice Chase at his residence in the city of Washington to ascertain whether he would entertain an application to release Mr. Davis on bail. Of this interview the Chief Justice furnished the reporter with the following statement:

Mr. O'Conor suggested that such an application might be properly made at Chambers in Washington, although out of the district of Virginia in which the indictment had been found, and expressed the hope that it would be entertained, and that bail would be taken.

The Attorney-General did not consent to the hearing of the application, but remarked that, if the Chief Justice was willing to hear it, he would appear on behalf of the government. The Chief Justice said that whenever it should become apparent, either by the proclamation of the President or by the legislation of Congress, or by clear evidence from other sources, that martial law was abrogated and the writ of habeas corpus fully restored in Virginia, he should unite with the district judge in holding the courts in that district. At present, the Federal as well as the State Courts must act in a quasi-military character, subject to such control by the President and by Congress as might be deemed essential to complete pacification and restoration. Such action by a subordinate court might be proper; and the District and Circuit Court of the United States for the district of

Virginia, could be held by the district judge, subject to such military supervision as should be found needful.

He had been, however, of the opinion that neither the Chief Justice nor any of the Justices of the Supreme Court, exercising, as they did, the highest judicial authority of the nation, could properly join in holding the Circuit Courts under such circumstances. He was still of this opinion.

The President, it was true, had issued a peace proclamation which, in the absence of any action requiring a different interpretation, would probably have warranted the inference that the habeas corpus was fully restored and martial law abrogated in all the States recently in arms against the Union, except Texas. But the proclamation has been followed by other orders from the President through the War Department, inconsistent with this interpretation; and in such a matter as this, the executive construction of an executive act ought to be followed.

If he were to hold the Circuit Court in the district of Virginia in the same manner as in the districts in other States,—as, for example, in the districts of Maryland and Delaware,—it would be his duty to issue a writ of habeas corpus on application in behalf of any person in custody within the district, under or by color of authority of the United States, and examine the question of the lawfulness of such custody.

If, therefore, an application should be made for that writ in behalf of Jefferson Davis, held as everybody knows in such custody within the district, it would be his duty to issue it. What would be the consequences? If martial law is at an end, the custody is clearly illegal, and the prisoner must be discharged, or admitted to bail, or committed to the State jail or prison of Virginia, under the acts of congress relating to the custody of prisoners.

It was manifestly improper, the Chief Justice thought, for him to interpose in that way with a custody which, upon the supposition that martial law yet exists in Virginia, is purely a matter of military discretion with the President. Under these circumstances the Chief Justice said he could not, at present, depart from the line of action he had prescribed himself. He could not, consistently with his views of public duty, hold a quasi-military court; nor could he hold a court in any district in a State lately in rebellion, until all semblance of military control over Federal Courts and their process and proceedings had been removed by the action of the political departments of the government.

He did not question, but on the contrary approved, the action

of the District Court in holding such courts. Such a court was now being held in Virginia by the District Judge. An application to discharge Mr. Davis on bail might very properly be addressed to him: and there was no reason to doubt that, if the government should consent such an order might be made. The District Judge, sitting as he did, might carry out the views of the executive made known through the Attorney-General.

For himself, the same reasons which would restrain him from holding the court, would restrain him even more powerfully from exercising any jurisdiction as a single judge within the district of Virginia; and he must, therefore, decline to entertain the application to admit Mr. Davis to bail.

There was another consideration which would control his present action, even if he felt himself warranted in holding the court. Mr. Davis is now a military prisoner, and not in any sense in the custody of the court.

Before an application to discharge on bail could be considered, it would be necessary to inquire into the legality of the military custody, by habeas corpus. An application for that writ, therefore, its allowance and an adjudication that the present custody was illegal, would be indispensable preliminary proceedings; and no application for that writ had been made.

He mentioned this objection to the action desired in behalf of Mr. Davis, without thinking it of much importance, for under ordinary circumstances, no doubt, the objection could be easily removed by an application for the writ, and proper proceedings under it. At present the same considerations which would restrain him from acting on an application to discharge on bail, would equally restrain him from the allowance of a writ of habeas corpus.

After these observations, Messrs. O'Conor and Pratt, with the Attorney-General, withdrew. No application to admit to bail was made.

Although no formal application was made at this time to the Chief Justice, as appears by his own note of the interview between himself and counsel, such application was made to the government, to know if bail would be received, and the offer of bail was unlimited in amount.

Both the President and Mr. Speed evinced favor to the object, and their sincerity can not be fairly questioned. The objection of the Chief Justice towards exercising judicial functions in territory where military law was superior to civil law, making it out of the question for him to act in the case at that time, Hon. Charles O'Conor and Geo. Shea, Esq., of New York, made a

formal motion for bail, before Judge Underwood, which was heard in the Attorney-General's office at Washington, on the eleventh of June, and were replied to by the Attorney-General, and on that motion Judge Underwood delivered the following decision:

I have considered the application made by Mr. Shea, of counsel, to admit Jefferson Davis to bail.

Under the circumstances the application might have been more properly made to me when recently holding the Circuit Court at Richmond.

Under the law, it may doubtless be made also in vacation, and I will briefly state my views of it and my conclusions.

In the states which were lately in active rebellion, military jurisdiction is still exercised, and martial law enforced.

The civil authorities, State and Federal, have been required or permitted to resume partially their respective functions; but the President, as commander-in-chief, still controls their action so far as he thinks such control necessary to pacification and restoration.

In holding the District and Circuit Courts of Virginia, I have uniformly recognized this condition.

Jefferson Davis was arrested under a proclamation of the President, charging him with complicity in the assassination of the late President Lincoln. He has been held ever since, and is now held, as a military prisoner. He is not, and never has been, in the custody of the marshal for the district of Virginia, and he is not, therefore, within the power of the court. While this condition remains, no proposition for bail can be properly entertained, and I do not wish to indicate any probable action under the circumstances.

On the tenth of April, 1866, a resolution had been introduced by Mr. Boutwell, of Massachusetts, instructing the Judiciary Committee of the House of Representatives to inquire whether there is probable cause to believe in the criminality alleged against Davis and others, and whether any legislation is necessary to bring them to a speedy and impartial trial.

This committee had the case under investigation until they made their report, with the following conclusions:

When the committee entered upon this investigation in April last, the evidence in the War Department, if accepted as true, was conclusive as to the guilt of Jefferson Davis. The Judge-Advocate-General had taken the affidavits of several persons who professed to have been in the service of the rebel government,

and who had been present at an interview between Suratt, Davis, and Benjamin.

Those affidavits were taken by the Judge-Advocate-General in good faith, and in the full belief that the affiants were stating that only which was true.

The statements made by those witnesses harmonize in every important particular with facts derived from documents and other trustworthy sources.

The committee, however, thought it wise to see and examine some of the persons whose affidavits had been taken by Judge Holt. Several of the witnesses when brought before the committee retracted entirely the statements which they had made in their affidavits, and declared that their testimony, as given originally, was false in every particular. They failed, however, to state to the committee any inducement or consideration which seemed to the committee a reasonable explanation for the course they had pursued. And the committee are not at this time able to say, as the result of the investigations they have made, whether the original statements of these witnesses are true or false, but the retraction made by some of them deprives them of all claim to credit, and their statements so far impeached or thrown out upon the evidence given by other witnesses whose affidavits were taken by Judge Holt, that the committee, in the investigations they have made and in the report, have disregarded entirely the testimony of all those persons whose standing has been so impeached.

The committee are of opinion that it is the duty of the Executive Department of the government, for a reasonable time, and by the proper means, to pursue the investigations for the purpose of ascertaining the truth. If Davis and his associates are innocent of the great crime of which they were charged in the President's proclamation, it is due to them that a thorough investigation should be made, that they may be relieved from the suspicion that now rests upon them.

If, on the other hand, they are guilty, it is due to justice, to the country, and to the memory of him who was the victim of a foul conspiracy, that the originators should suffer the just penalty of the law. The committee are of the opinion that the work of investigation should be further prosecuted; and, therefore, in conclusion, they recommend the adoption of the following resolutions:

Resolved, That there is no defect or insufficiency in the present state of the law to prevent or interfere with the trial of Jefferson Davis for the crime of treason, or any other crime for which

there may be probable ground for arraigning him before the tribunals of the country.

Resolved, further, That it is the duty of the Executive Department of the government to proceed with the investigation of the facts connected with the assassination of the late President Abraham Lincoln without unnecessary delay, that Jefferson Davis and others named in the proclamation of President Johnson, of May second, 1865, may be put upon trial and properly punished if guilty, or relieved from the charges if found to be innocent.

No action having taken place, the following correspondence ensued:

Executive Mansion, Washington, D. C.,
October 6th, 1866.

Sir: A special term of the Circuit Court of the United States was appointed for the first Tuesday of October, 1866, at Richmond, Va., for the trial of Jefferson Davis on the charge of treason. It now appears that there will be no session of that court at Richmond during the present month, and doubts are expressed whether the regular term (which by law should commence on the fourth Monday of November next) will be held.

In view of this obstruction, and the consequent delay in the proceeding with the trial of Jefferson Davis under the prosecution for treason, now pending in that court, and there being, so far as the President is informed, no good reason why the civil courts of the United States are not competent to exercise adequate jurisdiction within the district or circuit in which the state of Virginia is included, I deem it proper to request your opinion as to what further steps, if any, should be taken by the executive with a view to a speedy-public, and impartial trial of the accused, according to the constitution and laws of the United States.

I am sir, very respectfully, yours,

ANDREW JOHNSON.

To the Hon. Henry Stanbery, Attorney-General.

Reply of the Attorney-General.

Attorney-General's Office, Oct. 12, 1866.

The President—Sir: I have the honor to state my opinion, on the question propounded in your letter of the 6th, as to what further may be proper or expedient to be done by the executive,

in reference to the custody of Mr. Davis, and the prosecution for treason now pending against him in the Circuit Court of the United States for Virginia. I am clearly of opinion, that there is nothing in the present condition of Virginia to prevent the full exercise of the jurisdiction of the civil courts. The actual state of things, and your several proclamations of peace and of the restoration of civil order, guarantee to the civil authorities, Federal and State, immunity against military control or interference. It seems to me, that in this particular there is no necessity for further action on the part of the executive, in the way of proclamation, especially as Congress, at the late session, required the Circuit Court of the United States to be held at Richmond, on the first Monday of May, and the fourth Monday of November in each year, and authorized special or adjourned terms of that court to be ordered by the Chief Justice of the Supreme Court, at such time and place, and on such notice, as he might prescribe, with the same power and jurisdiction as at regular terms.

This is an explicit recognition by Congress, that the state of things in Virginia admits the holding of the United States Courts in that state. The obstructions you refer to, it seems to me, can not be removed by any executive order, so far as I am advised. It arises as follows: Congress, on May 22, 1865, passed an act providing that the Circuit Court of the United States for the state of Virginia should be held at Richmond, on the first Monday of May, and on the fourth Monday of November in each year; and further providing that all suits, and other proceedings which stand continued to any other time and place, should be deemed continued to the time and place prescribed by the act.

The special or adjourned session which was ordered by the court to be holden at Richmond, in the present month of October, was considered as abrogated by force of this act. This left the regular term to be holden on the fourth Monday of November, and if there had been no further legislation by Congress, no doubt could exist as to the competency of the Chief Justice and the district judge of that court then to try Mr. Davis.

But on the twenty-third of July, 1866, Congress passed an act to fix the number of Judges of the Supreme Court of the United States, and to change certain judicial circuits. Among other changes in the circuits made by this act, is a change of the fourth circuit, to which the Chief Justice has been allotted. As this circuit stood prior to this act, when allotted to the Chief

Justice, it embraced Delaware, Maryland, Virginia, North Carolina, and West Virginia. It was changed by this act by excluding Delaware and adding South Carolina.

It is understood that doubts exist whether the change in the state composing the circuit, will not require a new allotment. Whether these doubts are well founded or not, it is certain that the executive can not interfere, for although, under peculiar circumstances, the executive has power to make an allotment of the Judges of the Supreme Court, yet these circumstances do not exist in this case. A new allotment, if necessary, can only be made by the Judges of the Supreme Court, or by Congress—perhaps only by Congress. Mr. Davis remained in custody at Fortress Monroe, precisely as he was held in January last, when, in answer to a resolution of Congress, you reported communications from the Secretary of War and the Attorney-General, showing that he was held to await trial in the civil courts. No action was then taken by Congress in reference to the place of custody. No demand has since been made for his transfer into civil custody. The District Attorney of the United States for the district of Virginia, where Mr. Davis stands indicted for treason, has been notified that the prisoner would be surrendered to the United States marshal upon a certain capias under the indictment, but the District Attorney declines to have the capias issued, because there is no other place within the district where the prisoner could be kept, or where his personal comfort and health could be so well provided for. No application has been made within my knowledge by the counsel for Mr. Davis for a transfer of the prisoner to civil custody. Recently an application was made by his counsel for his transfer from Fortress Monroe to Fort Lafayette, on the ground of sanitary consideration. A reference was promptly made to a board of surgeons, whose report was decidedly averse to change, on the score of health and personal comfort. I am unable to see what further action can be taken on the part of the executive to bring the prisoner to trial. Mr. Davis must for the present remain where he is, until the court which has jurisdiction to try him shall be ready to act, or until his custody is demanded under lawful process of the Federal courts.

I would suggest that, to avoid any misunderstanding on the subject, an order be issued to the commandant of Fortress Monroe to surrender the prisoner to civil custody, whenever demanded by the United States marshal, upon process from the Federal courts.

I send herewith a copy of a letter from the United States District Attorney for Virginia, to which I beg to call your attention. I have the honor to be, &c.,

HENRY STANBERY,
Attorney-General.

Office United States District Attorney for Virginia,
Norfolk, October 8th, 1866.

Honorable Henry Stanbery, Attorney-General of the United States:

Sir: In compliance with your request, I submit herewith the substance of the verbal statement I made you a few days since in answer to your question, "Why no demand has been made upon the military authorities for the surrender of Jefferson Davis, in order that he might be tried upon the indictment found against him in the United States Circuit Court at the term held at Norfolk in May last."

Two reasons have influenced me in not taking any steps for removing him from their custody. The one relates to the safe keeping; the other to his own personal comfort and health. I have never had any doubt but that he would be delivered to the United States marshal of the district, whenever he should have demanded him on a capias or other civil process.

But you can readily understand that so soon as he goes into the hands of that officer, upon any action had by me, his place of confinement would be one of the State jails of Virginia.

At Fortress Monroe all necessary precautions can be and are taken to prevent his escape. Over the internal police of a State jail the marshal has no authority, and the safe custody of the prisoner could not be secured save at a very great expense.

Mr. Davis is now in as comfortable quarters as the most of those occupied by the army officers at the fort.

The location is a healthy one. His family have free access to him. He has full opportunity for exercise in the open air.

If his health be feeble, remove him to one of the State jails, and his condition, instead of becoming better, would in all these respects be much for the worse.

His counsel probably understood all this, and I think, will not be likely to take any steps which would decrease the personal comforts or endanger the life of their client.

I have the honor to be, most respectfully, your obedient servant,

L. H. CHANDLER,
United States District Attorney for Virginia.

In June, 1866, Mr. Greeley visited Washington, and also Judge Underwood at Richmond, and actively co-operated in the effort then made, but it was unsuccessful; the cause can only be conjectured.

In August, 1866, Mr. Davis' counsel solicited his removal to some Northern prison as a measure calculated to benefit his health, which was then precarious. An investigation at Fortress Monroe by two army surgeons specially selected and sent from Washington for the purpose, resulted in a report that the removal was inexpedient. If allowed, it might have led to an early release of Mr. Davis on bail. Up to this time there seemed some influence—some "power behind the throne"—that kept its eye upon Mr. Davis and vetoed all attempts in his favor. Nine months more elapsed before his release. That event occurred May thirteenth, 1867. Mr. Greeley and Mr. Smith then attended in person at Richmond. Together with Commodore Vanderbilt, they signed the recognizance.

Though no direct promise was ever made, Mr. Stanberry the Attorney-General, and Mr. Evarts his associate, intimated that the government would accept bail. Mr. Evarts attended at Richmond on behalf of the prosecution and assented accordingly. Why bail was not accepted in June, 1866, or earlier, and was accepted in May, 1867, is not known. The same persons were offered on both occasions. In 1866, Mr. Davis was ready to give bail in one million dollars; or more, if required; in 1867, bail was not demanded for even one-tenth of that sum.

Mr. Greeley's frank liberality in becoming one of the sureties, and procuring other influential persons to unite with him, was most praiseworthy. In subsequently advising a general amnesty, and actively following it up by an immediate discontinuance of all pending prosecutions, Mr. Attorney-General Evarts entitled himself to the applause of all good men.

The events detailed above, thus spread themselves over nearly the whole of the year, in efforts by his friends to procure a prompt trial or release of Mr. Davis, or inquiries of the Executive as to why he had not been or was not about to be tried, or investigations by the Congress of the United States, as to whether the charges against him had any foundation, and why they were not subjected to the test of judicial investigation. The controversy raged as to whether the war had ended, and whether the laws in the Southern States were superior to the military arm of the government.

The President and the Supreme Court held or clearly intimated that peace prevailed in all those regions recently within

the belligerent lines of the Confederacy, and that therefore law was and must be supreme. Congress held that the status of war still remained, and by a series of legislative acts, assumed command of the army, and through it exercised military law over all those States and people. It placed States under the command of its generals, who were authorized to execute the laws, and who assumed and exercised the power to make them; who suspended, extended, amended, and repealed laws at their will and pleasure, by general orders issued by their Adjutants-General, and appointed their own staff officers to act as judges of State courts, paying them salaries out of the State Treasury, which the law provides alone for independent judges, while such officers also received their regular pay, as part of the army of these United States. These generals commanding, not only made the laws and appointed their own subordinates to interpret, apply, and execute them, but in many instances they directed in special orders what decisions should be made, and what judgments rendered in specific cases. They were the executive, the legislative, and the judicial departments of government concentrated into one hand, under what is known historically as the reconstruction measures of Congress. .

In Virginia the President Judge of the Supreme Court of Appeals was a staff officer of the general commanding, assigned to that duty; and another one of the judges of that court was an officer of the Federal army, receiving his appointment from the same source.

While affairs were in this condition, Chief-Justice Chase refused to sit within the jurisdiction in which a soldier was the ultimate arbiter, and a bayonet the sole symbol of law.

The Circuit Court of the United States for Virginia was however held, having had a brief term in November, 1866, and in May, 1867, the District Judge (Underwood) opened its regular term at Richmond. On the first day of the court and of the month, the following petition was presented to him:

To the Honorable the Judges of the Circuit Court of the United States for the District of Virginia.

The petition of Jefferson Davis, by George Shea, his attorney in fact in this behalf, respectfully showeth:

That he is, and ever since the nineteenth day of May in the year 1865, has been restrained of his liberty, and held in close custody as a prisoner in jail in that certain strong place of, and belonging to the government of the United States, called Fortress Monroe, within the said District of Virginia, and that Brigadier-

General Henry S. Burton is now the commander of said Fort Monroe, and as such holds petitioner in his custody.

That no ground of detention is alleged to the knowledge of your petitioner, or his said attorney, in fact, unless it be in a certain indictment presented against your petitioner at the May term of the above entitled court, held in the year 1866, of which a copy is hereunto annexed, marked A.

Your petitioner further shows that the May term was adjourned to meet at Richmond on the fourth day of June, in the year last aforesaid. That at said adjourned term your petitioner appeared by his counsel and urged a trial at said adjourned term, offering to proceed without delay, but that the government declined to proceed on said indictment. Your petitioner shows that at the subsequent term of this court your petitioner appeared in like manner, but the government did not bring on the trial.

Your petitioner further shows that his imprisonment aforesaid has greatly impaired his health, and that the continuance thereof through the ensuing summer would involve serious danger to his life, as your petitioner believes.

Your petitioner further says that ample sureties for his appearance to abide judgment on said indictment can be given, if your petitioner shall be admitted to bail.

Your petitioner further shows that his detention, imprisonment, and custody aforesaid, always have been and are exclusively under or by color of the authority of the United States, and that he has reason to apprehend that the government may not proceed to the trial on said indictment at the next ensuing term of said court, which is to be held in Richmond on the first Monday of May, 1867.

Whereupon your petitioner prays that a writ of habeas corpus may issue from this honorable court to be directed to Brigadier-General Henry S. Burton aforesaid, and whomsoever may hold your petitioner in custody, commanding him or them to have the body of your petitioner before the Circuit Court of the United States for the district of Virginia, on the first Monday of May, 1867, at the opening of court on that day, or at such other time as in the said writ may be specified, for the purpose of inquiring into the cause of the commitment and detention of your petitioner, and to do and abide such order as this court may make in the premises. And your petitioner will ever pray.

JEFFERSON DAVIS.

By George Shea, his attorney in fact.

United States of America, District of Columbia, *ss.*: George Shea, being duly sworn, says that he is attorney in fact for the petitioner in the preceding petition named; that he is acquainted with the said petitioner, and saw him in close custody, as a prisoner, in Fort Monroe, in the month of March last; that he, this deponent, has a general knowledge of the facts in the above petition stated, and that he verily believes the said petition to be in all respects true. GEORGE SHEA.

Subscribed and sworn before me, this first day of May, 1867, at Alexandria, Va.

JOHN C. UNDERWOOD,
District Judge.

And thereupon the following writ was granted:

The President of the United States to Brigadier-General Henry S. Burton, and to any person or persons having the custody of Jefferson Davis, greeting:

We command that you have the body of Jefferson Davis, by you imprisoned and detained, as it is said, together with the cause of such imprisonment and detention, by whatsoever name the said Jefferson Davis may be called, or charged, before our Circuit Court of the United States for the district of Virginia, at the next term thereof at Richmond, in said district, on the second Monday in May, 1867, at the opening of the court on that day, and so do and receive what shall then and there be considered concerning the said Jefferson Davis.

Witness, Salmon P. Chase, our Chief Justice of the Supreme Court of the United States, this first day of May, 1867.

W. H. BARRY,
Clerk of the Circuit Court of the United States, district of Virginia.

By order of the president, the following order was issued:

War Department,
Washington, D. C., May 8, 1867.

Brevet Brigadier-General H. S. Burton, United States Army, Commanding Officer at Fortress Monroe:

The President of the United States directs that you surrender Jefferson Davis, now held confined under military authority at Fortress Monroe, to the United States Marshal or his deputies, upon any process which may issue from any Federal Court in the State of Virginia. You will report the action taken by you

on this order, and forward a copy of the process served upon you to this office.

By order of the president: E. D. Townsend,
Assistant Adjutant-General.

On the tenth day of May the writ was served on General Burton by the marshal, and, in obedience to the command thereof, he took Mr. Davis to Richmond, and on the 13th made the following return of the writ, producing at the same time the body in court.

In obedience to the exigency of the within writ I now here produce before the within named Circuit Court of the United States for the District of Virginia, the body of Jefferson Davis, at the time of the service of the writ held by me in imprisonment at Fortress Monroe, to the military authority of the United States subject, and surrender of the said Jefferson Davis to the custody, jurisdiction, and control of the said court, as I am directed to do by the order of the President of the United States, under date of May 8, 1867.

H. S. Burton,
Colonel and Brevet Brigadier-General of the United States Army.

Mr. Chandler, for the Government, said: General Burton, comes into court to present his return, produces the body of Jefferson Davis, hitherto held by the military authorities, and hereby submits him to the control and authority of this court, as he had been commanded to by the President of the United States.

Mr. O'Conor said: On this return, may it please your honor, no question arises as to the legality of the former imprisonment. We are advised that there is an indictment against the prisoner in this district, and that your honor will take such course as may be proper in the case.

The Court replied: The return is explicit and satisfactory. General Burton receives the thanks of the court for his prompt and graceful obedience to its writ. General Burton is now honorably relieved of the custody of the prisoner, who passes into the custody of the court, under the protection of American republican law. The marshal will now serve on the prisoner the writ on the indictment now in this court.

Deputy-Marshal Duncan advanced and handed a paper to Mr. Davis, who arose and handed it to Mr. O'Conor.

Mr. O'Conor said: We hope that the court will now order such proper course as justice may require. No further action could be asked by the counsel of Mr. Davis, and it remaining with the court to institute regular civil proceedings, he would

acknowledge to have received a copy of the indictment, and would wish to know what further steps would be taken.

Judge Underwood said: The court would be pleased to hear from the representatives of the Government.

Mr. Evarts.—I deem it proper to say that I represent the government on this occasion and in this prosecution, in association with my learned friend the District Attorney, Mr. Chandler. Mr. Davis having passed from military imprisonment to the control and custody of this court, and as an indictment is pending against him and he is now under arrest, it only remains for me in behalf of the government to say, it is not its intention to prosecute the trial of the prisoner at the present term of the court.

Mr. O'Conor.—The condition of the case throws upon us the duty of presenting to your honor's consideration some of the circumstances attending it. Jefferson Davis has been imprisoned and in the power of the government, so that any steps thought expedient, just, and consistent with sound policy, might have been taken against him a very long time ago. His imprisonment commenced on the 19th of May, 1865. In this court an indictment was presented against him in May, 1866. Mr. Davis has been at all times since his imprisonment, and particularly during the last year or more of that imprisonment, exceedingly anxious to meet the questions arising on any indictment which might be presented. He was exceedingly anxious to receive the advantages, and enjoy the rights which your honor has so eloquently and justly eulogized in the address made with reference to General Burton—the blessings and advantages of a just, equal, fair, and I may say, benign (for that becomes the occasion) administration of law. No particular civil procedure has been on foot since the indictment was presented, and although the whole period of two years has elapsed since the commencement of his imprisonment, an application of obvious general principles and policy was properly made to the court, while, at the same time, securing due responsibility to law and the ends of justice, to mitigate somewhat the prisoner's condition; for all imprisonment, and the holding of the accused for trial, are adopted for the purpose of securing an answer and the personal appearance of the accused when the question of his guilt or innocence comes fairly before the court. This is ample reason on general grounds. The Constitution of the United States, which we all profess to reverence, assures a speedy trial. But I do not come here to assert that a speedy trial means instantly, nor to assert that the government has not on this, as on all other occasions,

had a reasonable time to prepare for trial. I do not assert that considerations of policy and convenience may not have had their full weight, although they may bear oppressively on the individual. I do not complain that the government has failed to prosecute last year, or deferred action until the present year. I have no such purpose, because we are bound to respect the authority of the President, the Attorney-General, and their associates and advisers, and only suppose there are public considerations for not proceeding with the trial immediately. But, if your honor please, it is a fact that a gentleman, not very young, and not very remarkable for constitutional vigor—whatever may be said of his mental vigor, has already suffered two years of imprisonment, and it is a fact that, as far as human guarantees can be given for any man, I might say any amount of security for the appearance of the prisoner can be furnished. We can furnish such pledges from gentlemen in every part of the country, of every party, and representing every shade of opinion; gentlemen who, becoming security for him, would profess but one sentiment, and that not for him personally, who are averse to the political views which have distinguished his life in every respect, but who, nevertheless, feel a great interest in the honor and dignity of the American people and in the American republic, and fear that the punishment of death, in the absence of a trial, would result from his longer imprisonment. I say, then, this kind of assurance can be given; and as that class who differ so widely in opinion are willing to give this security, in order to show their respect for him personally, it furnishes the best proof that they believe he will appear before you whenever required. To this they are willing to pledge their whole estates. These remarks are to express to your honor that we are ready to give bail that at a future day Mr. Davis will be ready to appear, without in the meantime being held a prisoner. Fair, reasonable bail, such as may be exacted in ordinary cases, we are now ready to furnish. As the trial must lie over the ensuing summer—as the prisoner has not necessarily to be examined or defended in any way—he is now subject to judicial control, and the question for your honor is, whether the prisoner shall be let to bail, as the learned gentleman proposes. If your honor so determines, then the question arises as to the amount, and the terms, and the division, if desired, on which the security may have been much reduced by imprisonment. I move your honor to accept bail for him. This you will of course do, either on your own judgment or on consultation with other officers of the government as to the amount. I have spoken on the pains of

imprisonment. Every freeman will understand that any imprisonment of a free-born American must carry oppression with it, so far as there was a long period of imprisonment. Certainly, during the time Mr. Davis was under the direction and custody of that gallant officer to whom you paid so just a compliment, that imprisonment had as few pains and as little suffering as could be expected under the circumstances. He was in the hands of a soldier and a gentleman. I do not allude to other times, but speak as to what is before us. Jefferson Davis is now here, under your exclusive direction, and I ask that he have the liberty of free locomotion until you are prepared to try him.

The court said it would like to hear from the other side.

Mr. Evarts.—The imprisonment was under the military authority and jurisdiction of the United States. Its duration, or the circumstances attending it, are to be taken.

The indictment, I am informed, is under a recent act of Congress prescribing the punishment for treason, passed in 1862, and which, for the first time in our legislation, has made it proper for the court to inflict less than the death penalty for the crime. Undoubtedly the government, in saying to your honor that they do not propose proceeding against the prisoner during the present term, have presented a proper case for the motion of his counsel; and it is for your honor to determine on the usual terms, in the discretion of the court, considering all the circumstances of the case as to the propriety of receiving bail. The court has nothing to do with the characters or motives of the sureties; it could only look to what the law requires with regard to pecuniary responsibility, and for insuring the presence of the accused. I do not know that there will be any indisposition on the part of the prisoner's counsel to meet the amount of bail your honor or the District-Attorney may think suitable. Indeed, from the remarks of the prisoner's counsel, they have the ability and disposition to furnish the requisite security. As to the question of amount, it is for your honor to say what was the proper sum in order to the proper administration of justice.

Mr. Chandler, Dist.-Attorney.—The question now presented is, whether the prisoner shall be admitted to bail. The judiciary act of 1789 provides that the Supreme Court or a judge of a District Court of the United States, may, in any case, even in capital punishment, taking into consideration all the circumstances, admit to bail, exercising a sound discretion. If an indictment was found against the prisoner under a law by which he could not be punished with death, then, as a matter of right, he could give bail.

I will state what I think to be a fair amount of bail, and do so the more freely because there has been some consultation in this matter. I believe the learned counsel associated with me will agree to ask bail in the sum of one hundred thousand dollars. I presume there will be no question as to the amount of bail; it would be as easy a question to determine on that amount as on ten thousand dollars.

Something has been said about gentlemen from all parts of the country, representing all shades of politics, willing to enter surety for the appearance of the prisoner at the next term. So far as suretyship is concerned, we have no objection to take them, but I feel I owe a duty to the government in asking, in addition to gentlemen residing outside of this district, that gentlemen residing in this district shall also enter into security, in order to secure the attendance of the prisoner at the next term.

Mr. O'Conor.—We can meet that question as to bail.

Mr. Chandler.—That is in the discretion of the court. I may remark, in order to avoid embarrassment in the future, that the government would run no risk by requiring some of the sureties to be residents of this district; while, on the contrary, we would be certain, in case of non-attendance, without having to enter suit in a different jurisdiction, to hold the sureties responsible for the non-appearance of the prisoner.

Mr. O'Conor.—On a question of residence there need be no difficulty. We will give those who will respect their obligations.

Mr. Evarts.—We have no objections, provided the surety is adequate.

Mr. O'Conor.—There are ten gentlemen willing to go surety ten thousand dollars each.

Underwood, Judge.—The question is whether the offense is bailable. It is a little remarkable that in the midst of a gigantic civil war, the congress of the United States changed the punishment of an offense from death, to fine and imprisonment; but under the circumstances it was very honorable to the government of United States, and exhibited clemency and moderation. This is a fact which relieves the present case of every doubt as to its being bailable, and it is also in my judgment eminently proper that the motion should be treated with favor, as the defendant has been ready for a year to submit his case to the courts of the country. It is true the prisoner has not until to-day been in the custody of this court. I think, however, no person acquainted with the circumstances of the country, would suppose the fact reflected on the justice of the government, con-

sidering the national effect of a great war, which lashed all elements of society into a fury.

It was not to be expected the passions and prejudices aroused would be subdued in a moment, and it is in consequence of the prevalence of the disturbance and tumult which have been abroad in the community, that the government felt that it was not safe to proceed with the case. After consultation with higher judicial officers, it was thought best to omit the trial last fall, but fortunately we have a more agreeable aspect at the present time.

We may now hope for restored confidence, and that we may not be disturbed by violence and commotion. I think there are reasonable assurances in the indications around us, that we are about to enter on a peace more permanent than ever existed before.

I ought, perhaps, to state the fact that this court expects to be in session all this week; and I have received a letter from Chief Justice Chase, intimating his intention to come to this city if any important cases are likely to be tried.

I ought, perhaps, also to say, in justice to the District Attorney, that he expected to dispose of this case during the present term. I believe he was fully prepared for the final disposition of it at this time, but I have no doubt that the grave considerations have induced the government to take a different course. So it seems the responsibility of the trial is with the government, and not with the court, or the District Attorney, and no doubt for good and proper reasons. The government can not complain, since the delay is its own. I am glad counsel have agreed on the amount of bail. It meets with the approbation of the court, which will not confine the sureties to the district of Virginia. It would no doubt be satisfactory if about one half of the sureties be confined to the state of Virginia. There is no objection to having the remainder of the bail from other portions of the United States. I would inquire of the counsel for the prisoner, whether his sureties are present to enter into cognizances to-day?

Mr. O'Conor.—They are all prepared.

The Court.—The gentlemen proposing to offer themselves will please come forward.

The names of the sureties were severally called, and they repaired to the clerk's desk and signed the following paper:

Be it remembered that, on this second day of May, A. D. 1868, before the honorable the Circuit Court of the United States for the district of Virginia, at the court-house in Richmond, in the

said district, came Jefferson Davis and acknowledged himself to owe to the United States of America the sum of one hundred thousand dollars, lawful money of the said United States, and Gerrit Smith, Horace Greeley, and Cornelius Vanderbilt, each of whom acknowledged himself to owe to the United States of America the sum of twenty-five thousand dollars, each, of like lawful money, and William H. McFarland, Isaac Davenport, Jr., Abraham Warwick, Gustavus A. Myers, William W. Crump, James Lyons, John A. Meredith, James Thomas, Jr., Thomas R. Price, and Thomas W. Boswell, each of whom acknowledged himself to owe to the said United States of America, the sum of twenty-five hundred dollars each, of like lawful money.

The said several sums to be made to the use of the said United States of the goods, chattels, lands, and tenements of the said parties respectively.

The condition of this recognizance is such that if the said Jefferson Davis shall in proper person, well and truly appear at the Circuit Court of the United States for the district of Virginia, to be held at Richmond, in the said district on the fourth Monday of November next, at the opening of the court on that day, and then and there appear from day to day, and stand to abide and perform whatever shall be then and there ordered and adjudged in respect to him with said court, and not depart from the said court without leave of the said court in that behalf first had and obtained, then the said recognizance to become void, otherwise to remain in full force.

Taken and acknowledged this thirteenth day of May, 1867.

JEFFERSON DAVIS.

HORACE GREELEY, New York.
AUGUSTUS SCHELL, New York.
ARISTIDUS WELSH, Philadelphia.
DAVID K. JACKMAN, Philadelphia.
W. H. MCFARLAND, Richmond.
RICHARD BARTON HAXALL, Richmond.
ISAAC DAVENPORT, Richmond.
ABRAHAM WARWICK, Richmond.
GUSTAVUS A. MYERS, Richmond.
WILLIAM W. CRUMP, Richmond.
JAMES LYONS, Richmond.
JOHN A. MEREDITH, Richmond.
WILLIAM H. LYONS, Richmond.
JOHN MINOR BOTTS, Virginia.
THOMAS W. BOSWELL, Virginia.
JAMES THOMAS, Jr., Richmond.

The Court: The marshal will discharge the prisoner.

The marshal did so, when deafening applause followed.

The November term of the court commenced on the 26th day of November, where, after the swearing in of the grand jury, and the charge of the court to them, Judge Underwood indicating a desire to hear from the gentlemen of the bar any motion they might have to make.

Mr. Evarts, of New York, on behalf of the government, said:

If the court please, the case of the United States against Jefferson Davis, which was called at the last term of the court, when the accused was put under recognizance for the attendance at this term, is now to be brought to your honor's notice. I observe the counsel of Mr. Davis in attendance; and I understand that the prisoner is obedient to the requisitions of the court at any time. The intention of the government in regard to that case is to proceed with the trial of it at some time during the present term of the court, and the considerations upon which the day would be fixed would be but twofold: First, as to the readiness of the government in regard to the production of their proofs, and the attendance of witnesses which, however, would not require any considerable postponement of the trial from the present day. But there is another consideration, and that is, at what time during the present term the public duties of the Chief Justice of the United States Supreme Court would permit of his presiding with his honor, the District Judge, at the trial in this circuit. It is understood that his public duties at Washington during the session, which is to commence on next Monday, will preclude his attendance at this trial, and the government propose, therefore, to name a day which will be in the expected order of business in the Supreme Court of the United States, after the adjournment of that court, and then to proceed with the trial.

As the counsel are in attendance, and as the prisoner is in attendance upon the orders of the court, it is proper that they should both be relieved from any unnecessary inconvenience, and that the counsel of the government should also understand what call will be made upon them for attendance here. I propose, therefore, if your honor please, that some day, say the third Wednesday of March, be assigned for the trial.

Judge Underwood.—Do I understand that that is the assent for the counsel for the defense?

Mr. Evarts.—I understand that they have no objection to that course, but the counsel will speak for themselves.

Mr. O'Conor, on behalf of the counsel for Mr. Davis, replied,

that they were in attendance, and had no desire to express with reference to the ordinary progress of business, except that it should be conducted in that manner most likely to be attended with the least embarrassment and inconvenience to the defendant and his numerous friends, and to his counsel. They felt themselves bound to render such assistance as might be necessary in securing to him a fair, full hearing. Their personal wishes and convenience would have been greatly promoted by a trial when Mr. Davis was first brought before the court, in May last; and in a greater degree was it true that their personal wishes and convenience would be consulted by proceeding at this time. He was apprehensive that the term of the Supreme Court might continue beyond the time now indicated for the trial, and that, as a consequence, it would be impracticable for the Chief Justice to be here. In that contingency, the defendant and his counsel would be subjected to a renewal of the inconvenience which they had been compelled to suffer, and had suffered uncomplainingly on two occasions. However, he found no fault with the government in its disinclination to proceed in the absence of the Chief Justice. It was undoubtedly desirable, in view of all the interests involved, that two judges should preside when the case is heard. He conceded that the higher duty, so to speak, of the Chief Justice to be present in the Supreme Court of the United States, and there to preside, prevented him from being present and giving his attendance to this case at this time. He would have been pleased, as would also his associates, in this doubtful state of affairs, to have renewed the recognizance of his client for an appearance in the month of May, when the Chief Justice could certainly attend; but, not having any control over the matter, the defense had only to ask that a formal order be entered to the effect that Mr. Davis was relieved from attendance, and had leave to depart from the court until the day named.

Mr. Evarts remarked that it would be quite as inconvenient for the government and its counsel to be unable to proceed at the adjourned day, as it could be to the prisoner and his advisers. He suggested, that by being able to form a timely anticipation as to whether the day named would be such, in view of the actual course of the business of the Supreme Court, as to permit of the attendance of the Chief Justice here, the danger of the result which had been indicated might be guarded against. If circumstances then appearing should render it unsuitable for the Chief Justice to be expected here in time to go on with the trial, it could very easily be arranged that the attendance of Mr. Davis at a still later day in the present term should coincide with the

commencement of the new term of the court, so as not to make any practicable difference. But he anticipated that the government would be able to proceed, and that the Chief Justice would be able to attend in time to dispose of the case at the present term of the court. It would, moreover, probably better suit the convenience of all parties to be present in the early spring for a somewhat prolonged period, than during mid-summer, if it should be a protracted trial.

Judge Underwood expressed entire acquiescence in the arrangement proposed on the part of the government, as the presence of the Chief Justice in the trial of the cause was essential upon various grounds. He approved of the suggestion of the counsel, looking to an understanding by which an attendance of witnesses and counsel might not be required until the trial was to proceed on the day appointed. He believed it to be due to the defendant that two judges should preside at the trial, as in that case the defendant would have the advantage of appeal to the higher court, in case of a disagreement between the judges upon any important question. The proposition on the part of the government, and assented to by defendant's counsel, was agreeable to the court, and the order proposed by defendant's counsel would be entered.

Some further remarks were made by counsel in regard to the possible necessity of the removal of the leave of absence given to Mr. Davis, and his being held on his recognizance, in the event of the trial of the cause being informally postponed from the time fixed to a more distant day.

Mr. Evarts said that if, for instance, on the tenth of March, it should be known that the Supreme Court would prolong its session into April, then if this court, on the motion of the District Attorney, and with the attendance of Mr. Davis' counsel resident in Richmond, would make another order, that the defendant attend on the tenth day of May, for instance, all would be regular, the recognizance would be binding, and no inconvenience would arise.

Judge Underwood replied that the court would take care of the rights of the defendant, and suggested that the necessary order in the case should be drawn by the counsel.

The following order of the court was then agreed upon by the counsel on both sides:

The United States. v. *Jefferson Davis.*—The counsel having been heard in this case for the United States and for the defendant, it is now ordered that defendant have leave to depart hence until the fourth Wednesday of March next, at ten o'clock in the

forenoon of that day, at which day and hour he is required personally to be and to appear in this court, according to the conditions of his recognizance.

At the March term, 1868, of the court on the twenty-sixth day of the month, a new bill was found against Mr. Davis, as follows:

Circuit Court of the United States of America, and the District of Virginia.

At a stated term of the Circuit Court, of the United States of America, for the District of Virginia, in the Fourth Circuit, begun and holden at the City of Richmond, within and for the district and circuit aforesaid, on the fourth Monday of November, and on the twenty-fifth day of the said month, in the year of our Lord one thousand eight hundred and sixty-seven, and continued by adjournment to the twenty-sixth day of March, one thousand eight hundred and sixty-eight.

The Grand Jurors of the United States of America, in and for the district of Virginia, upon their oaths and affirmations respectively do find and present, that Jefferson Davis, late of the city of Richmond in the county of Henrico, and district of Virginia, gentleman, being a citizen and inhabitant of and residing within the said United States, under the protection of the laws of the said United States, and owing allegiance and fidelity to the said United States, not being mindful of his said duty of allegiance, and wickedly devising and intending the peace of the United States to disturb, and to excite and levy war against the said United States, on the first day of June, in the year one thousand eight hundred and sixty-one, at Richmond aforesaid, did unlawfully and traitorously collect and assist in collecting, great numbers of persons armed, equipped, and organized as military forces, for the purpose of levying war against the said United States, and did assume the command-in-chief of said forces, and with the said forces did unlawfully and traitorously take forcible possession of said city of Richmond, and said county of Henrico, and did by force of arms exclude therefrom all authority of said United States, and all persons acting under the same, and did, with said forces, occupy the said city and county and exclude therefrom the armed forces of the United States, sent by the government of the said United States to maintain the authority of the same in said city and county. And the Grand Jurors aforesaid, on their oaths and affirmations aforesaid, do say, that the said Jefferson Davis, on the said first day of June, in the year of our Lord one thousand eight hundred and sixty-one, at said Richmond, being a person owing allegiance to the said United States, did maliciously and traitorously levy

war against the said United States, and did commit this crime of treason against the said United States, against the peace and dignity of the United States of America, contrary to the form of the statute respecting the crime of treason, approved on the thirteenth day of April, in the year one thousand seven hundred and ninety.

And the Grand Jurors aforesaid do further find and present, that Jefferson Davis, late of Richmond aforesaid, gentleman, an inhabitant of, and residing within the United States of America, and owing allegiance and fidelity to said United States, did, on the first day of June, in the year one thousand eight hundred and sixty-one, maliciously and traitorously collect, and assist in collecting great numbers of persons armed and equipped, and organized as military forces, for the purpose of levying war against the said United States, and did assume the command-in-chief of said forces, and with the said forces did unlawfully and traitorously take forcible possession of said Richmond, and said county of Henrico, and did by force of arms exclude therefrom all authority of said United States, and all persons acting under the same, and with said forces occupy the said city and county and exclude therefrom the armed forces of the United States, sent by the government of the United States to maintain the authority of the same in said city and county. And so the Grand Jurors aforesaid, on their oaths and affirmations aforesaid, do say that the said Jefferson Davis, on the said first day of June, in the year one thousand eight hundred and sixty-one, at said Richmond, being a person owing allegiance to the said United States, did maliciously and traitorously levy war against the said United States, and did commit the crime of treason against the peace and dignity of the United States of America, and contrary to the form of the statute respecting the crime of treason, approved on the seventh day of June, in the year one thousand eight hundred and sixty-two.

And the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do further present, that on the first day of August, in the year of our Lord one thousand eight hundred and sixty-two, a great many persons whose names are to the Grand Jurors unknown, to the number of one hundred thousand and more, were assembled, armed and equipped, and organized as military forces, with the usual weapons of war, and were maliciously and traitorously engaged in levying war against the said United States, in said Richmond, in said county of Henrico, and in the district of Virginia aforesaid, and in several States, to wit, the States of North Carolina, South Carolina, Georgia,

Florida, Alabama, Mississippi, Louisiana, Texas, Arkansas, Tennessee, and Missouri. And that the said Jefferson Davis, at Richmond aforesaid, on the said first day of August, being an inhabitant of, and residing within, and owing allegiance to the said United States, well knowing that the said military forces, organized as aforesaid, were engaged maliciously and traitorously in levying war against the said United States, did send to and procure for the said forces, munitions of war, provisions, and clothing, and did give to said forces information, counsel, and advice, maliciously and traitorously to assist them in levying war as aforesaid. And so the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do say that the said Jefferson Davis, on the said first day of August, at Richmond aforesaid, did maliciously and traitorously levy war against the United States, and did commit the crime of treason against the said United States, against the peace and dignity of the United States of America, and contrary to the form of the statute in such case made and provided.

And the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do further present that at a place called Manassas, in the said district of Virginia, on the twenty-first day of July, in the year one thousand eight hundred and sixty-one, a great number of persons, whose names to the Grand Jurors are unknown, to the number of fifty thousand, and more, were assembled, armed, and equipped, and organized as military forces, with the usual weapons of war, and were maliciously and traitorously fighting against, killing, wounding and capturing officers and soldiers of the army of the United States, and destroying and capturing munitions and materials of war, being the property of the United States, and were then and there maliciously and traitorously levying war against the said United States, and that the said Jefferson Davis, at said Manassas, on the said twenty-first day of July, maliciously and traitorously did join himself to, and take part and assist by direction, advice and encouragement, the said military forces, then and there levying war against the said United States, as aforesaid, and so the Grand Jurors aforesaid, on their oaths and affirmations aforesaid, do say that the said Jefferson Davis, on the said twenty-first day of July, at Manassas aforesaid, did maliciously and traitorously levy war against the United States, and did commit the crime of treason against the said United States, against the peace and dignity of the United States of America, and contrary to the form of the statute respecting the crime of

treason approved on the thirtieth day of April, in the year one thousand seven hundred and ninety.

And the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do further find and present, that the said Jefferson Davis, late of the city of Richmond aforesaid, gentleman, being an inhabitant of, and residing within the said United States of America, and owing allegiance and fidelity to the said United States, did at Richmond aforesaid, on the twenty-fifth day of May, in the year one thousand eight hundred and sixty-one, conspire and unite with Robert E. Lee, Judah P. Benjamin, John C. Breckinridge, William Mahone, Henry A. Wise, John Letcher, William Smith, Jubal A. Early, James Longstreet, Daniel H. Hill, Ambrose P. Hill, Gustave T. Beauregard, William H. C. Whiting, Edward Sparrow, Samuel Cooper, Joseph E. Johnston, John B. Gordon, Claiborne F. Jackson, and F. O. Moore, and with other persons whose names are to the Grand Jurors unknown, to the number of one hundred thousand, to levy war against the said United States, and that then and thereafter, in pursuance thereof, there were assembled and collected together a great number of persons including the said Jefferson Davis, and the said Robert E. Lee, Judah P. Benjamin, John C. Breckinridge, William Mahone, Henry A. Wise, John Letcher, William Smith, Jubal A. Early, James Longstreet, Daniel H. Hill, Ambrose P. Hill, Gustave T. Beauregard, William H. C. Whiting, Edward Sparrow, Joseph E. Johnston, John B. Gordon, Claiborne F. Jackson, and F. O. Moore, and the other persons whose names are to the Grand Jurors aforesaid unknown, armed, equipped, and organized as military forces with the usual weapons of war, maliciously and traitorously levying war in the said district of Virginia, and in the State of North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Arkansas, Tennessee and Missouri, and that the said Jefferson Davis was selected and appointed by the persons aforesaid as commander-in-chief of the forces aforesaid, and was by the said forces recognized and obeyed as commander-in-chief of the forces aforesaid, and that the said Jefferson Davis, of the city of Richmond aforesaid, on the said twenty-fifth day of May, well knowing that the said military forces were so levying war against the United States, did accept the office of commander-in-chief of the said forces engaged in levying war as aforesaid, and did then and there direct, counsel, assist, and encourage the said forces, and did maliciously and traitorously act as such commander-in-chief of said military forces in the levying of war against the said

United States, as aforesaid, and so the Grand Jurors aforesaid, on their oaths and affirmations as aforesaid, do say that the said Jefferson Davis, on the said twenty-fifth day of May, at said city of Richmond, being a person owing allegiance to the said United States, did maliciously and traitorously levy war against the said United States, against the peace and dignity of said United States of America, and contrary to the form of the statute in such case made and provided.

And the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do further find and present, that on the second day of August, in the year one thousand eight hundred and sixty-four, there were collected and gathered together a great many persons whose names are to the Grand Jurors unknown, of the number of one hundred thousand, armed, equipped, and organized as military forces, and as such engaged maliciously and traitorously in levying war against the said United States, and that Jefferson Davis, at Richmond aforesaid, on the said second day of August, being an inhabitant of, and residing within the United States of America, and owing allegiance to the said United States, and well knowing that the said military forces were engaged in levying war against the said United States, as aforesaid, did act as commander of said forces in their levying of war, and did, then and there, appoint one Girardi then acting as captain in said forces, to act as commander of a brigade of said forces so levying war as aforesaid, and did maliciously and traitorously appoint one Mahoney to be Major-General of said forces, so levying war as aforesaid, and did direct one James A. Seddon to examine into the position of certain said forces, to wit, a regiment of infantry commanded by one William Butler, and to ascertain whether the said Butler could be spared from his said regiment without injury to the service of levying war against the said United States, and so the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do say that the said Jefferson Davis, on the said second day of August, at said Richmond, being a person owing allegiance to said United States, did maliciously and traitorously levy war against the said United States, and did commit the crime of treason against the said United States, against the peace and dignity of the said United States of America, and contrary to the form of the statute in such case made and provided.

And the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do further find and present that, on the ninth day of February, in the year one thousand eight hundred and sixty-four, at Richmond aforesaid, there were collected and

gathered together a great many persons whose names are to the Grand Jury unknown, armed, equipped, and organized as military forces, of the number of one hundred thousand, and as such forces engaged maliciously and traitorously in levying war against the said United States, and that the said forces were then generally known by the name of the Armies of the Confederate States, and that the said Jefferson Davis, on the said ninth day of February, being an inhabitant of, and residing within the United States of America, and owing allegiance to said United States, and well knowing that the said forces were levying war against said United States, was acting as commander-in-chief of said forces, and did then and there maliciously and traitorously, as such commander-in-chief, issue an address to the said forces, in the words and figures following, to wit:

Adjutant and Inspector-General's Office,
Richmond, February 10, 1864.

General Orders, No. 19.

The following address of the President is published for the information of the army: Soldiers of the Armies of the Confederate States, in the long and bloody war in which your country is engaged, you have achieved many noble triumphs, you have won glorious victories over vastly more numerous hosts, you have cheerfully born privations and toils to which you were unused, you have readily submitted to restraints upon your individual will, that the citizen might better perform the duty of the State as a soldier. To all these you have lately added another triumph, the noblest of human conquests—a victory over yourselves.

As the time drew near when you, who first entered the service might well have claimed relief from your arduous labors and restoration to the endearments of home, you have heeded only the call of your suffering country. Again you come to tender your service for the public defense—a free offering which only such patriotism as yours could make—a triumph worthy of you, and of the cause to which you are devoted.

I would in vain attempt adequately to express the emotion with which I received the testimonials of confidence and regard which you have recently addressed to me. To some of these separate acknowledgments were returned. But it is now apparent that a like generous enthusiasm pervades the whole army, and that the only exception to such magnanimous tender will be of those who, having originally entered for the war, can not display anew their zeal for the public service. It is, there-

fore, deemed appropriate, and it is hoped will be generally accepted, to make a general acknowledgment, instead of successive special responses. Would that it were possible to render my thanks to you in person, and in the name of our common country, as well as in my own, while pressing the hand of each war-worn veteran. I recognize his title to our love, gratitude, and admiration.

Soldiers! by your will (for you and the people are but one) I have been placed in a position which debars me from sharing your danger, your suffering, and your privations in the field. With pride and affection my heart has accompanied you in every march; with solicitude it has sought to minister to your every want; with exultation it has marked your every heroic achievement; yet, never in the toilsome march, nor in the weary watching, nor in the desperate assault, have you rendered a service so decisive in results as in this last display of the highest qualities of devotion and self-sacrifice which can adorn the character of the war patriot.

Already the pulse of the whole people beats in union with yours. Already they compare your spontaneous and unanimous offer of your lives for the defense of your country, with the halting and reluctant service of the mercenaries who are purchased by the enemy at the price of higher bounties than have hitherto been known in war.

Animated by the contrast, they exhibit cheerful confidence and more resolute bearing. Even the murmurs of the weak and timid, who shrink from the trials which make stronger and firmer your noble natures, are shamed into silence by the spectacle which you present. Your brave battle-cry will ring loud and clear through the land of the enemy, as well as our own; will silence the vain-glorious boasting of the corrupt partisans and their pensioned press; and will do justice to the calumny by which they seek to persuade a deluded people that you are ready to purchase dishonorable safety by degrading submission.

Soldiers! the coming spring campaign will open under auspices well calculated to sustain your hopes. Your resolution needed nothing to fortify it. With ranks replenished under the influence of your example, and by the aid of your representatives, who give earnest of their purpose to add by legislation largely to your strength, you may welcome the invader with a confidence justified by the memory of past victories. On the other hand, debt, taxation, repetition of heavy drafts, dissensions occasioned by the strife for power, by the pursuit of the spoils of office, by the thirst for plunder of the public treasury,

and, above all, the consciousness of a bad cause, must fall with fearful force upon the over-strained energies of the enemy.

His campaign in 1864 must, from the exhaustion of his resources, both in men and in money, be far less formidable than those of the last two years, when unimpaired means were used with boundless prodigality, and with results which are suggested by the mention of the glorious names of Shiloh, and Perryville, and Murfreesboro, and Chickamauga, and the Chickahominy, and Manassas, and Fredericksburg, and Chancellorsville.

Soldiers! assured success awaits us in our holy struggle for liberty and independence, and for the preservation of all that renders life desirable to honorable men. When that success shall be reached, to you,—your country's hope and pride,—under divine Providence, will it be due.

The fruits of that success will not be reaped by you alone, but by your children, and your children's children, in long generations to come, will enjoy blessings derived from you that will preserve your memory ever-living in their hearts.

Citizens—defenders of the homes, the liberties, and the altars of the Confederacy!—that the God whom we all humbly worship may shield you with his fatherly care, and preserve you for a safe return to the peaceful enjoyment of your friends and the association of those you most love, is the earnest prayer of your commander-in-chief.

JEFFERSON DAVIS.

Richmond, 9th February, 1864.

By order:

S. Cooper,

Adjutant and Inspector-General.

—encouraging, conniving and advising the said forces to continue levying war against the said United States.

And so the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do say that the said Jefferson Davis, on the said ninth day of February, at said Richmond, being a person owing allegiance to said United States, did maliciously and traitorously levy war against the said United States, and did commit the crime of treason against the said United States, against the peace and dignity of said United States of America, and contrary to the form of the statute in such case made and provided.

And the Grand Jurors aforesaid, upon their oaths and affirmations, do further find and present that, on the fifth day

of January, in the year eighteen hundred and sixty-four, there were collected and gathered together a great many persons whose names are to the Grand Jurors unknown, of the number of one hundred thousand, armed, equipped, and organized as military forces, with the usual weapons of war, and as such forces engaged maliciously and traitorously in levying war against the United States in the district of Virginia, and in the States of Georgia and South Carolina, and that the said Jefferson Davis, at Richmond, in the district of Virginia, on the said fifth day of January, being an inhabitant of, and residing within the United States of America, and owing allegiance to said United States, and well knowing that the said forces were levying war as aforesaid, did maliciously and traitorously direct that a large number of said forces, to wit, fifteen thousand men, known as the Local Defense Men, should be sent to defend the country and railroads between Charleston, in said South Carolina, and Savannah, in said Georgia, against the authorities and armies of said United States, and did maliciously and traitorously direct that certain other of said forces, so levying war, as aforesaid, should continue to defend said Charleston against said authorities and armies of said United States, he, the said Davis, at that time acting as commander-in-chief of said forces.

And so the said Grand Jurors, upon their oaths and affirmations aforesaid, do say that the said Jefferson Davis, on the said fifth day of January, at said Richmond, being a person owing allegiance to the said United States, did maliciously and traitorously levy war against the said United States, and did commit the crime of treason against the said United States, against the peace and dignity of the said United States of America, and contrary to the form of the statute in such case made and provided.

And the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do further find and present that, on the fourth day of January, in the year eighteen hundred and sixty-four, there were collected and assembled a great many persons whose names are to the Grand Jurors unknown, and of the number of one hundred thousand, armed, equipped, and organized as military forces, and as such engaged maliciously and traitorously in levying war against the said United States, in the said district of Virginia, and in the State of North Carolina, and within other places within the United States, and that the said Jefferson Davis, at Richmond aforesaid, on the said fourth day of January, being an inhabitant of and residing within the said United

States, and well knowing that the said military forces were engaged in levying war against the said United States, as aforesaid, did act as commander-in-chief of said forces in their said levying of war, and did then and there direct that a brigade of said forces should be sent to a place called Goldsboro, in the said State of North Carolina, maliciously and traitorously the said brigade then and there to fight against, kill, wound, and capture the officers and soldiers of the armies of the United States, there employed by the government of the said United States in upholding its authority.

And so the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do say that the said Jefferson Davis, on the said fourth day of January, at Richmond aforesaid, being a person owing allegiance to the said United States, did maliciously and traitorously levy war against the said United States, and did commit the crime of treason against the said United States; against the peace and dignity of the said United States of America, and contrary to the form of the statute in such case made and provided.

And the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do further find and present, that Jefferson Davis, late of the city of Richmond aforesaid, gentleman, being an inhabitant of and residing within the United States of America, and owing allegiance and fidelity to the said United States, did on the twenty-fifth day of March, in the year of our Lord one thousand eight hundred and sixty-five, at Richmond aforesaid, unlawfully, falsely, wickedly, maliciously, and traitorously counsel and abet Robert E. Lee, Judah P. Benjamin, John C. Breckinridge, William Mahoney, Henry A. Wise, John Letcher, William Smith, Jubal A. Early, James Longstreet, Daniel H. Hill, Ambrose P. Hill, Gustave T. Beauregard, William H. C. Whiting, Edward Sparrow, Samuel Cooper, Joseph E. Johnston, John B. Gordon, Claiborne F. Jackson and F. O. Moore, being persons owing allegiance to the said United States, and divers other persons, to the number of one thousand, whose names to the Grand Jury aforesaid are unknown, also owing allegiance to the said United States, in and to, then and there, unlawfully, falsely, wickedly, maliciously, and traitorously combining and confederating together to levy war against the said United States, with the intent then and there to subvert the power thereof, and the said Robert E. Lee, together with the said other persons unknown to the Grand Jurors aforesaid, and the said Jefferson Davis, did then and there so unlawfully, falsely, wickedly, maliciously, and traitorously combine and confederate

together for the purpose aforesaid, and did then and there levy war against the said United States of America, and the said Jefferson Davis, and the said Robert E. Lee, and the said other persons known as well as the said other persons unknown to the Grand Jurors aforesaid, confederates in pursuance of said unlawful, false, wicked, malicious, and traitorous combination and confederation, then and there collected large armies, constituting together one hundred thousand men and more, to levy and carry on war against the said United States.

And the said Jefferson Davis, then and there falsely, wickedly, maliciously, and traitorously, and unlawfully commanded to make and carry on war upon and against the said United States, and the said armies did then and there, in obedience to the said commands of the said Jefferson Davis, levy and carry on war upon and against the said United States, and the said Jefferson Davis then and there, to wit, on the said twenty-fifth day of March, did order and direct, and command the said Robert E. Lee, and the said other persons known as well as the said other persons unknown to the Grand Jurors aforesaid, to assault, fight, wound, and capture, and kill the said officers and soldiers in the military service of the said United States, the said officers and soldiers being then in a fortification and fort known as and called Fort Steadman, which said fortification and fort was at and near the city of Petersburg, in the District of Virginia, within the jurisdiction of the court, and then was in the possession and occupancy of the said United States; and the said Robert E. Lee, and the said other persons known as well as said persons unknown to the Grand Jurors aforesaid, in obedience to the command of said Jefferson Davis, did then and there assault, fight, wound, and capture, and kill the said officers and soldiers in the military service of the said United States, in the said fortification and fort.

And so the Grand Jurors aforesaid, upon their oaths and affirmations, do say that the said Jefferson Davis, on the said twenty-fifth day of March, in the year of our Lord one thousand eight hundred and sixty-five, at the said city of Richmond, being a person owing allegiance to the said United States, did, contrary to the duty of said allegiance, unlawfully, wickedly, falsely, maliciously, and traitorously levy war against the said United States, as aforesaid, and did then and there so commit one and more overt acts of treason against the said United States, as aforesaid, against the peace and dignity of said United States, in contempt of the laws, in violation of his duty of allegiancy,

and contrary to the form of the statute in such case made and provided.

And the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do further find and present, that Jefferson Davis, late of the city of Richmond aforesaid, gentleman, being an inhabitant of and residing within the said United States, and owing allegiance and fidelity to the said United States, did, at the city of Richmond aforesaid, on the thirty-first day of March, one thousand eight hundred and sixty-five, unlawfully, falsely, wickedly, and maliciously and traitorously counsel and abet Robert E. Lee, Judah P. Benjamin, John C. Breckinridge, William Mahoney, Henry A. Wise, John Letcher, William Smith, Jubal A. Early, James Longstreet, Daniel H. Hill, Ambrose P. Hill, Gustave T. Beauregard, William H. C. Whiting, Edward Sparrow, Samuel Cooper, Joseph E. Johnston, John B. Gordon, Claiborne F. Jackson, and F. O. Moore, being persons owing allegiance to the said United States, and divers other persons to the number of one thousand, whose names are to the Grand Jurors aforesaid unknown, also owing allegiance to said United States, in and there and then falsely, wickedly, maliciously, and traitorously combining and confederating together to levy war against said United States, with the intent then and there to subvert the power thereof; and the said Robert E. Lee, together with the said other persons known as well as the said other persons unknown to said Grand Jurors, and the said Jefferson Davis, did then and there so unlawfully, falsely, and traitorously combine and confederate together for the purpose aforesaid, and did then and there levy war against said United States, and the said Jefferson Davis, and the said Robert E. Lee, and the said persons known as well as said persons unknown to the Grand Jurors aforesaid, confederates, in pursuance of the said unlawful, false, wicked, malicious, and traitorous combination and confederation, then and there called large armies constituting together one hundred thousand men and more, to levy and carry on war against said United States.

And the said Jefferson Davis, then and there falsely, wickedly, and maliciously and traitorously commanded armies to levy, make, and carry on war against said United States, and the said armies did then and there, in obedience to said command of said Jefferson Davis, levy and carry on war against said United States, and the said Jefferson Davis, then and there, to wit, on the said thirty-first day of March, did order, direct, and command said Robert E. Lee, and the said other persons known as well as said persons unknown to the said Grand Jurors

aforesaid, to assault, wound, capture, and kill the officers and soldiers of said United States, then being in martial array at and near Dinwiddie Court-house, in the county of Dinwiddie, and district of Virginia aforesaid, and within the jurisdiction of the court; and the said armies so collected by the said Jefferson Davis as aforesaid, and the said Robert E. Lee, and the said other persons known as well as said other persons unknown to the Grand Jurors aforesaid, in obedience to the command of said Jefferson Davis, did then and there assault, fight, wound, and capture, and kill the said officers and soldiers in the said military service of the said United States, and so the Grand Jurors aforesaid, upon their respective oaths and affirmations aforesaid, do say that the said Jefferson Davis, on the said thirty-first day of March, one thousand eight hundred and sixty-five, at the said city of Richmond, being a person owing allegiance to said United States, did, contrary to his duty of his said allegiance, unlawfully, falsely, wickedly, maliciously, and traitorously levy and carry on war against said United States as aforesaid, and aid them, and did then and there, so become, and was guilty of treason against the United States aforesaid, against the peace of the said United States, in contempt of the laws, in violation of his duty of allegiance, and contrary to the form of the statute in such case made and provided.

And the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do further find and present, that Jefferson Davis, late of the city of Richmond aforesaid, gentleman, being an inhabitant of and residing within the United States of America, and owing allegiance and fidelity to said United States, did, at the city of Richmond aforesaid, on the first day of April, in the year of our Lord one thousand eight hundred and sixty-five, unlawfully, falsely, wickedly, maliciously, and traitorously counsel and abet Robert E. Lee, Judah P. Benjamin, John C. Breckinridge, William Mahoney, Henry A. Wise, John Letcher, William Smith, Jubal A. Early, James Longstreet, Daniel H. Hill, Ambrose P. Hill, Gustave T. Beauregard, William H. C. Whiting, Edward Sparrow, Samuel Cooper, Joseph E. Johnston, John B. Gordon, Claiborne F. Jackson, and F. O. Moore, being persons owing allegiance to said United States, and divers other persons to the number of one thousand, whose names to the Grand Jurors aforesaid are unknown, also owing allegiance to the said United States, in and to, then and there, unlawfully, falsely, wickedly, maliciously, and traitorously combining and confederating together to levy war against said United States, with the intent then and there to subvert the power thereof,

and the said Robert E. Lee, together with said other persons known as well as those unknown to the Grand Jurors aforesaid, and the said Jefferson Davis, did then and there, so unlawfully, falsely, traitorously, maliciously, combine and confederate together for the purpose of making war against said United States, and did then and there levy war against said United States, with the intent then and there to subvert the power thereof, and the said Robert E. Lee, together with said other persons known as well as those unknown to the Grand Jurors aforesaid, and the said Jefferson Davis, did then and there, so unlawfully, falsely, traitorously, maliciously, combine and confederate together for the purpose of making war against said United States, and did then and there levy war against said United States as aforesaid. And the said Jefferson Davis, and the said Robert E. Lee, and the said other persons known as well as said other persons unknown to the Grand Jurors, confederates, in pursuance of the said unlawful, false, wicked, malicious, and traitorous combination and confederation, then and there collected large armies, constituting one hundred thousand men and more, to levy and carry on war against said United States. And the said Jefferson Davis, then and there, to wit, on the said first day of April, did order, direct, and command said Robert E. Lee, and the said persons known as well as said persons unknown to the Grand Jurors aforesaid, to assault, wound, fight, capture, and kill the officers and soldiers in the military service of said United States, then being in martial array for the defense of the authority of said United States, at and near a place known and called the Five Forks, in the District of Virginia aforesaid, and within the jurisdiction of this court, and the said armies so collected by the said Robert E. Lee, and said other persons known as well as said other persons unknown to the Grand Jurors aforesaid, in obedience to the command of the said Jefferson Davis, did then and there assault, fight, capture, and kill the said officers and soldiers in the said military service of said United States.

And so the Grand Jurors aforesaid, on their oaths and affirmations aforesaid, do say that the said Jefferson Davis, on the said first day of April, one thousand eight hundred and sixty-five, at the said city of Richmond, within the jurisdiction of this court, being a person owing allegiance to the said United States, did, contrary to his duty of said allegiance, unlawfully, maliciously, and traitorously levy and carry on war against said United States as aforesaid, and did then and there so become,

and was guilty of treason against said United States, as aforesaid, against the peace of said United States, in contempt of the laws and in violation of his duty of allegiance, and contrary to the form of the statute in such case made and provided.

And the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do further find and present, that Jefferson Davis, late of the city of Richmond aforesaid, gentleman, being an inhabitant of, and residing within the United States of America, and owing allegiance and fidelity to said United States, and at the city of Richmond aforesaid, on the second day of April, in the year of our Lord one thousand eight hundred and sixty-five, unlawfully, maliciously, and traitorously counsel and abet Robert E. Lee, Judah P. Benjamin, John C. Breckinridge, William Mahoney, Henry A. Wise, John Letcher, William Smith, Jubal A. Early, James Longstreet, Daniel H. Hill, Ambrose P. Hill, Gustave T. Beauregard, William H. C. Whiting, Edward Sparrow, Samuel Cooper, Joseph E. Johnston, John B. Gordon, Claiborne F. Jackson, and F. O. Moore, being persons owing allegiance to said United States, and divers other persons owing allegiance to said United States, to the number of one hundred thousand, whose names are to the Grand Jurors unknown as aforesaid, in and to, then and there unlawfully, falsely, maliciously, and traitorously combining, confederating together, to levy war against said United States, with intent then and there to subvert the power thereof, and the said Robert E. Lee, together with said other persons known as well as the said other persons unknown to said Grand Jurors, and the said Jefferson Davis, did, then and there, so unlawfully, falsely, maliciously, and traitorously combine and confederate together for the purpose aforesaid, and did then and there levy war against said United States.

And the said Jefferson Davis, and the said Robert E. Lee, and the said other persons known as well as said other persons unknown to the Grand Jurors aforesaid, confederates, in pursuance of the said unlawful, false, and malicious and traitorous combination and confederation, then and there collected large armies, constituting one hundred thousand men and more, to levy and carry on war against said United States, and the said armies did then and there, in obedience to the said command of said Jefferson Davis, levy and carry on war upon and against said United States, and that the said Jefferson Davis, then and there, to wit, on the said second day of April, did order, direct, and command said Robert E. Lee, and said other persons known as

well as said other persons unknown to the Grand Jurors aforesaid, to assault, capture, and kill the said officers and soldiers of said military service of said United States, then being in martial array for the defense and authority of said United States, at and near the city of Petersburg, in the said district of Virginia, and within the jurisdiction of this court.

And the said armies so collected by the said Jefferson Davis, and by the said Robert E. Lee, and by the said other persons known as well as the said other persons unknown to the Grand Jurors aforesaid, in obedience to the command of said Jefferson Davis, did then and there assault, fight, wound, capture, and kill the said officers and soldiers in said military service of said United States.

And the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do say that the said Jefferson, on the said second day of April, one thousand eight hundred and sixty-five, did, at the said city of Richmond, and within the jurisdiction of this court, being a person owing allegiance to said United States, contrary to his duty of allegiance, unlawfully, falsely, and maliciously and traitorously levy and carry on war against said United States as aforesaid, and did, then and there become guilty of the crime of treason against said United States, in contempt of the laws, and in violation of his duty of allegiance, and contrary to the form of the statute in such case made and provided.

And the Grand Jurors aforesaid, upon their oaths and affirmations aforesaid, do further find and present that the said Jefferson Davis, on the twenty-fifth day of May, in the year eighteen hundred and sixty-one, and continuous thereafter until the tenth day of May, in the year eighteen hundred and sixty-five, was a person fleeing from justice within the intent and meaning of the statute of the United States of America in such case made and provided; and that on the twenty-fifth day of May, eighteen hundred and sixty-one, there was a rebellion against the said United States, which continued for several years, to wit, until the tenth day of May, eighteen hundred and sixty-five, and that during the whole period of said rebellion by reason of the resistance to the execution of the laws of the United States, and the interruption of the ordinary course of judicial proceedings, process for the commencement of any action, civil or criminal, against the said Jefferson Davis, or for his arrest, could not be served, and the said Jefferson Davis could not, by reason of such resistance of the laws, and such interruption of such judi-

cial proceedings be arrested, or served with process for the commencement of any action, civil or criminal, within the intent and meaning of the statute of the United States in such case made and provided.

March 26th, 1868.

L. H. CHANDLER,
United States District Attorney for Virginia.

This indictment found on testimony of—
Robert E. Lee, Lexington, Rockbridge County, Va.
James A. Seddon, Dover Neighborhood, Goochland County, Va.
Charles B. Duffield, Duke street, city of Norfolk.
John Letcher, Lexington, Rockland (Rockbridge) County, Va.
George Wythe, Munford, near Gloucester Court House, Gloucester County, Va.
John B. Baldwin, City of Stanton, Va.
Charles E. Wortham, 110 Fifth street, Richmond, Va.
Thomas S. Hayward, Cary street, between First and Second, Richmond, Va.

At the same time an order was entered continuing his recognizance until Saturday, the second day of May next, and on that day a new one was entered into by the same parties, in the same amount, for his appearance on the first Monday in May, the day after but one, it having been set by agreement to be tried at a special session of that term, to be held in June. On the twenty-eighth of May this agreement was filed in the cause.

Circuit Court of the United States for the District of Virginia.

The United States
against
Jefferson Davis.

This case will not be called for trial on the third day of June next, but counsel will then appear on behalf of the United States, and also on behalf of the defendant, and an order will then be entered by consent in the form heretofore used in this case, giving the defendant time to appear until such day in the month of October next as may be agreeable to the court.

New York, May 28, 1868.

WM. M. EVARTS,
Of counsel for the United States.
CH. O'CONOR,
Of counsel for defendant.

Accordingly, on the twenty-third day of June, an order of continuance was entered, and a new recognizance in the same amount, by the same parties, was given conditioned for the appearance of Mr. Davis on the fourth Monday of next November, at the term of the court then to be held.

While these various proceedings were being had, the Congress of the United States had amended the Constitution of the United States by forcing the late Confederate States to accept certain amendments proposed by it, refusing to allow them any rights under the laws until they had so agreed to the propositions submitted to them. In this way Congress secured the vote of states sufficient to accept constitutional amendments, and thus actually changed the organic law for states which had always adhered to the Union, and which protested against the change, by the votes of states held under martial law, and which were made at the point of the bayonet to repeat the words required of them. Thus the lately loyal states made the constitution for the states always loyal. Among these amendments was the one imposing perpetual disfranchisement for aiding in rebellion, after having held certain offices.

As soon as this amendment was declared adopted in the ambiguous language of the Proclamation announcing the fact, or the hypothetical fact (it declared that if the votes of the late Confederate States were to be considered binding, and if the other states had no right to retract their ratification of the amendment, then it was ratified and adopted—otherwise not) the counsel for Mr. Davis prepared to attack the prosecution pending against him on the grounds disclosed in the following proceedings, which the reporter understands were inspired and suggested from the highest official source—not the President of the United States.

It was arranged that the Chief Justice should attend the court at the November term, 1868, and hear the argument on the motion to quash or dismiss the prosecution.

On the thirtieth day of that month, Robert Ould, Esq., one of Mr. Davis' counsel, filed the following affidavit:

On this thirtieth day of November, 1868, Robert Ould personally appeared in open court, and, being sworn, made oath that defendant, Jefferson Davis, was in the year 1845, previous to the alleged commission of the offenses set forth and charged in said indictment, a member of the Congress of the United States to wit a member of the House of Representatives from the State of Mississippi in said Congress, and as such the said Jeffer-

son Davis did, on the eighth day of December, 1845, take an oath to support the Constitution of the United States.

On filing the above affidavit, the counsel of Mr. Davis obtained a rule on the Attorney for the United States, to show cause why the indictment should not be quashed.

On Thursday December 3d, a hearing was had on this rule. Robert Ould, Esq., of Richmond, Charles O'Conor, Esq., of New York, Hon. William B. Reed, of Philadelphia, and James Lyons, Esq., of Richmond, appeared for the defendant. District-Attorney S. Ferguson Beach, Richard H. Dana, Jr., Esq., of Boston, and General H. H. Wells, represented the government of the United States. The court-room was filled with auditors, among whom were General Stoneman, other Federal officials, and many ladies.

When the case was called, Mr. Beach stated to the court that a pressure of official duties rendered it impossible for the Attorney-General to be present. He asked that a written statement be filed specifying the grounds upon which the motion to quash was based. His own connection with the case was slight and recent, and the special counsel for the government having had short notice, had given it little attention. It was probable that after the defense had opened the argument, it might be necessary for himself and learned associates to ask time to prepare their reply.

Mr. O'Conor assumed that there was no necessity of making any formal reply. The counsel for the government had been fully informed by his associate, Judge Ould, of the grounds relied upon.

The Chief Justice said the suggestion of the District Attorney was that no formal statement of the reasons for the motion had been filed with the clerk. The court had supposed that such a statement was filed; and certainly it should have been done.

Mr. O'Conor thought the affidavit on file contained all that was necessary to advise counsel of the grounds assumed by the defense. All the material facts were stated therein, to wit, that Jefferson Davis had been a member of the Senate, had taken the prescribed official oath to support the Constitution of the United States, and had afterwards engaged in the rebellion. They clearly indicated the grounds of the motion. The moment Mr. Davis' counsel determined to make the motion, the Attorney-General was informed of the fact by a note addressed to him, the point to be made being concisely stated; and a due apology was also tendered for the shortness of the notice. That note was received on Friday last, and was duly acknowledged on behalf

of the government by Mr. Evarts, the special counsel in the case. He then made no complaint of any insufficiency in the notice in any respect. A single point was presented, and that rested on facts admitting of no prolixity in statement. In fact the Attorney-General had had notice which though informal was satisfactory to him, several days before the matter was first mentioned in court.

Mr. Dana did not understand for what purpose the learned counsel had just addressed the court, if he did not object to the suggestion made by the District Attorney. On Monday last he had been first informed by telegram that his presence here was desired, to show cause why the indictment against Mr. Davis should not be quashed. When he reached Richmond he had inquired for the ground of the motion, and found only an affidavit setting forth that Jefferson Davis had been a member of the Congress of the United States, in 1845; and in that capacity had taken an oath to support the Constitution of the United States. He did not see that this had anything to do with the indictment, yet the motion to quash must be founded on the indictment. If the defense wished the benefit of the facts stated in the affidavit, they must be either proved or conceded, and then the defense must avail themselves of them by a plea in abatement. The government had no doubt of the facts alleged, and stood ready to admit them, but he insisted that there should be a written statement of the grounds upon which the motion was made, so that the case should be put upon a basis of which counsel should not be ashamed. If any new fact is imparted, we must agree to it, and then be informed what use the defense intend to make of it. In conclusion, Mr. Dana protested that he did not wish any unnecessary delay.

Mr. O'Conor said that the propriety of bringing this matter up by affidavit instead of by special pleading, was a question to come up hereafter on the merits. But the defense would not object to placing the grounds of their motion on record. Having every desire to accommodate, he would draw up the statement, whilst his learned associate (Judge Ould) opened the case.

The District Attorney (Mr. Beach) expressed a wish that this should be done before the argument commenced.

The Chief Justice said that the court would like to get through with the matter as soon as possible, inasmuch as the Supreme Court was to meet on Monday, and he (the Chief Justice) ought to be in Washington a day or two before that time. The demand, however, for a brief statement of the point made was not unreasonable, and the paper had better be prepared at once.

After a short recess, Mr. O'Conor presented the following statement, and motion:

"Circuit Court of the United States for the District of Virginia.

"The United States *v.* Jefferson Davis.

"The indictments in these cases were framed on the alleged fact that the defendant had engaged in the insurrection and rebellion against the United States, known to the court and to the several departments of the government as having existed at the several times mentioned in the said indictment in the State of Virginia and elsewhere, and thereby given aid and comfort to the enemies of the United States engaged in said insurrection and rebellion.

"And the defendant alleges that prior to such insurrection and rebellion, and in the year 1845 he, the said defendant, was a member of the Congress of the United States, and as such member took, in said year, an oath to support the Constitution of the United States in the usual manner, and as required by law in such case.

"And the defendant alleges in bar of any proceedings upon said indictments, or either of them, the penalties and disabilities denounced against and inflicted on him for his said alleged offense by the third section of the fourteenth article of the Constitution of the United States, forming an amendment to such Constitution.

"And he insists that any judicial proceeding to inflict any other or further pain, penalty, or punishment upon him for such alleged offense is not admissible by the Constitution and the laws of the United States.

"Wherefore he, the said defendant, moves the court now here to quash and set aside the said indictments, or to dismiss the same and the prosecution thereon, or to render such other relief in that nature as the aforesaid facts and circumstances shall require, and as may seem proper.

"Charles O'Connor.
"William B. Reed.
"Robert Ould.
"James Lyons."

Thereupon Mr. Beach submitted the following reply on behalf of the Government:

"United States *v.* Jefferson Davis.

"To enable the court at once to consider and pass upon the question of dismissing this case under the motion above made, with the benefit of facts necessary to such consideration, and which do not appear on the record, inasmuch as the counsel for

the United States believe these facts to exist and to be provable, they waive the regular process of plea, and agree that the court may assume as facts, for the purpose of this motion, that Jefferson Davis, in the year 1845, and previous to the alleged commission of the offenses set forth in the indictment, did take an oath as a member of Congress of the United States to support the Constitution of the United States, and that this agreement shall also be of effect in case the above motion shall be considered by the Supreme Court of the United States.

S. F. Beach,
United States District Attorney.

"December 3, 1868."

The Chief Justice—Both the papers may be filed.

Argument for the Defense.

Judge Ould then commenced the argument for the defendant on the motion to quash. He said it was now a concession in the cause brought properly to the notice of the court that Jefferson Davis was in 1845 a member of the United States Congress, and in that capacity took an oath to support the Constitution of the United States. As had been supposed by the learned counsel on the other side, the affidavit filed by the defendant bears an intimate relation to the third section of the fourteenth constitutional amendment, which provides that every person who, having taken an oath to support the Constitution of the United States, afterwards engaged in rebellion, shall be disqualified from holding certain State and Federal offices. Whether this section be of the nature of a bill of pains and penalties, or in the form of a beneficent act of amnesty, it will be agreed that it executes itself, acting *proprio vigore*. It needs no legislation on the part of Congress to give it effect. From the very date of its ratification by a sufficient number of states it begins to have all the effect that its tenor gives it. If its provisions inflict punishment, the punishment begins at once. If it pardons, the pardon dates from the day of its official promulgation. It does not say that Congress shall, in its discretion, prescribe the punishment for persons who swore they would support the authority of the United States and then engaged in rebellion against that authority, but itself pronounces the penalty and inflicts the punishment. For this declaration there is the authority of the Supreme Court as laid down in *ex parte* Garland, and in Cummins *v.* The State of Missouri (4 *Wallace*). A majority of the court there held that deprivation from office, in one form or

another, couched in civil law or criminal proceedings, is punishment for an offense (4 *Wallace*, 321). The theory of political security rests upon the fact that mankind are endowed with certain inalienable rights,—life, liberty, and the pursuit of happiness,—and any deprivation or suspension of those rights is a punishment, and can be no otherwise defined. This same doctrine is laid down in *ex parte* Garland (4 *Wallace*, page 344), and in the argument of that case counsel referred to numerous authorities to prove the fact that disqualification from office-holding is punishment. Judge Goldthwaite (7 *Porter*, 298) held this ground, and questioned whether any ingenuity could devise a punishment more calculated to operate on the public mind. Spencer, C. J., had remarked that the disfranchisement of a citizen is no unusual punishment for treason. So the very law under which the indictment against Mr. Davis is framed, expressly excludes from Federal offices those who engaged in the rebellion or insurrection.

It might, then, be taken for granted that the third section of the fourteenth amendment does inflict punishment for certain offenses set forth on its face, to wit, having engaged in rebellion after taking an oath to support the Constitution of the United States. The act of 1862 had prohibited those who had committed this offense from holding Federal offices, and this constitutional amendment went still further. It prescribed disqualification from holding State offices; and there is no fact or count in that indictment that is not embraced in the terms of the third section of this constitutional amendment. The question then arises is this punishment set forth in section three exclusive or cumulative. The defendant's counsel hold that it is exclusive, and affords the only rule of punishment in the case of Mr. Davis, who is at this moment suffering under that penalty. The gentlemen on the other side will hardly deny that such a rule of construction must be adopted as will place the amendment in harmony with other parts of the Constitution. Can the third section of this amendment be so construed, without straining it, as to take away from it the sting of being an *ex post facto* law? If there was one construction that would make it an *ex post facto* law, and another that would not, the court should undoubtedly embrace the latter: the construction which makes it beneficent, and makes it harmonize with other provisions of the Constitution. If it be construed that this provision is cumulative, or prescribes penalties in addition to those laid down in the acts of 1790 and 1862, then by every rule of construction it is made an *ex post facto* law. This third section, unlike the others, re-

fers only to past transactions; it has no force whatever upon the participators in any future rebellion. In 4 Wallace, 328, an *ex post facto* law is defined to be one that prescribes additional punishment for crimes committed before its passage. The conclusion is irresistible that if the punishment prescribed is cumulative, this is an *ex post facto* law. But if the punishment is exclusive,—the last expression of the national will on the subject, —it gives the whole punishment, and nullifies all conflicting acts. Then the conclusion that it is *ex post facto* is escaped.

For although punishment may be inflicted by a new law for offenses already committed, if the new law prescribes a lighter punishment it is not an *ex post facto* law. Otherwise, it is a bill of attainder, or at least a bill of pains and penalties, which is a legislative declaration by which a higher punishment is fixed for an offense already committed. Now, if this section is construed exclusively, the sting of a bill of attainder is taken away, and it is a matter of mercy instead of a matter of wrath. He asked the court to put the beneficent construction upon it. True, there is no distinct provision in the Constitution that no man shall be punished twice for the same offense; but there is a principle in the Anglo-Saxon heart, and acknowledged everywhere, which forbids such a monstrous thing. It is not less than a constitutional provision. However slight the punishment may be, when a man receives that he goes free. Jefferson Davis has been punished, and is now undergoing punishment. The law under which he is punished is its own interpreter and executor, and the District Attorney has nothing to do with it. The punishment, he repeated, is now being inflicted by the voice of the American people, who have tried him and pronounced the sentence that he shall be disqualified from holding any office, State or Federal. Further, this law is a special provision, and supersedes all general provisions with reference to a general object. Before this combination all general statutes, whatever they are, must pass away and not be considered. It is also a constitutional provision. These other enactments are statutes at large made under the Constitution; this is a specific provision of the Constitution itself. If there is any discrepancy between this and the general act, or if both meet the case, but in a different manner, the statute goes down and the Constitution prevails. It says that the punishment shall be deprivation from office; the statute says imprisonment. If you enforce the statute you go further than the Constitution provides. But if he was wrong in all this, and if the constitutional amendment is to

be regarded into a statute and stripped of its force, he would insist still, that being the last legislative expression of the will of the people, it should prevail. He quoted Leach's Crown cases (volume 1, p. 271, Rex *v.* John Davis), to prove that where a statute makes an offense punishable as a felony, and another inflicts a milder punishment, the latter must prevail. Again, every statute repeals all statutes repugnant thereto without a repealing clause. 21 *Pickering*, Commonwealth *v.* Bery, *Kimball*, 373, &c.; 5 Pickering, Nicholas *v.* Squire. Another position taken was, that it was the design of the law-makers to make disqualification from office the only punishment for engaging in the late rebellion. Nobody even suggested the punishment of any but the leaders, and very few of them. In the language of Burke, "You can not bring an indictment against a nation." If all who engaged in the rebellion were tried, where could a jury be found? How could a man be convicted without perjury? Everybody was on either one side or the other. How, then, could impartiality be secured? All this was seen, and the plan of selecting for punishment those who had enjoyed the confidence of the people, and led them into rebellion, was settled upon. In this view it was a beneficent enactment; otherwise it was monstrous. When Judge Ould concluded, Mr. Dana inquired what course the court would take in reference to the session.

The Chief Justice said there would be no recess. The court would sit until half-past 3 o'clock, and then adjourn until to-morrow.

Argument for the United States.

Mr. Dana said the counsel for the United States had had no opportunity to confer, and as the motion had been on a point unexpected to them, and probably to the court, they desired time to look over authorities. This was an entirely new proposition in law, for which there is no precedent. Such a case could not arise under any but a written Constitution. It was natural, under these circumstances, that time should be required for reflection.

The Chief Justice inquired about what agreement had been made in regard to the number of speeches on either side.

Mr. O'Conor said that Judge Ould and himself were the only speakers on the side of Mr. Davis.

Mr. Beach asked that he and Governor Wells might be heard for the government that afternoon, and Mr. Dana to-day. This

proposition was acceded to, and the court took a recess for an hour.

Before the recess the Chief Justice thought proper to say that the court had not been surprised, as intimated by Mr. Dana, at the ground taken by the defendant. The course of the argument was anticipated, as it was expected that the point to be urged was the common principle of constructive repeal.

Mr. Beach opened the argument in opposition to the motion.

Quoting the terms of the third section of the amendment, and adverting to the defendant as being among the persons designated in the section, he proceeded to combat the essential proposition on which the motion was founded.

This proposition was, that the third section of the amendment had repealed the act under which the indictment was framed. If the act had been repealed, no prosecution, of course, could be maintained under it, but he denied that there had been any such repeal, either in terms, or by implication or upon any justifiable theory as to the purpose and object of the amendment.

There was clearly no express repeal—and having stated the rules and cited the authorities by which the courts are governed on the question of an implied repeal, he maintained that under none of these rules, and on none of these authorities, could the act be regarded as repealed by implication.

There was no conflict whatever between the act and the constitutional provision—no repugnancy, no inconsistency, much less that degree of either essential to an implied repeal.

The amendment prescribed no new or different punishment for having engaged in insurrection or rebellion. To prescribe punishment for crime was not its purpose—was no part of its purpose. It was directed, in the section under consideration, to the end of securing the administration of the government, State and national, in the hands of those who had never been in insurrection against it, and although disabilities were thereby imposed upon the individuals described in the section, this was but the incidental consequence—not the substantive purpose of the amendment.

Surely it was competent for the nation—without thereby declaring impunity for their offenses—to provide, by constitutional enactment, that men who had waged a great but unsuccessful war for its destruction, should not be afterwards admitted to its councils.

Adverting to the history of the period, he argued to show that no such consequence as that assumed was in the mind

either of the Congress which proposed, or of the legislatures which ratified the amendment.

The number of persons falling within the category of the third section was a very small one, embracing, however, the originators and prominent actors in the great civil strife—among them, the accused, who was its head and front; was it to be supposed that this class had been singled out by the nation as objects of special and peculiar favor, and that the design was to exempt them wholly from criminal responsibility, while the great crowd of humbler offenders, who had but followed the lead of these, their chiefs, were to be left exposed to fines, forfeitures, and imprisonments?

The ground of the present motion was, that just this discrimination was intended—a discrimination which proclaimed amnesty to the leaders, and denounced pains and punishments upon the rank and file of the rebellion.

Such a theory of the amendment was in direct reversal of the known national sentiment in this regard—was repugnant both to the instinctive and deliberate promptings of an enlightened people, and could have no adequate support, except in terms which should admit of no other.

Brought of the test of any standard, whether to the narrower and more technical one to be found in the established rules for the construction of the written law, or to the broader one to be found in the recognized principles which guide and determine the conduct of civilized communities under circumstances like those which brought about the adoption of the constitutional amendment, the proposition on which the motion rested, and the motion itself, must fail.

General H. H. Wells, with the District Attorney.—This motion to quash, separated from what is manifestly irrelevant, rests upon the assumption that the third section of the fourteenth amendment of the Constitution repeals the former laws punishing treason and rebellion. The repeal is not, however, supposed to be contained in any expressly repealing clause or language, but it is claimed that the language of this third section repeals the old law by implication.

How this repeal by implication arises does not appear very clear, even to the acute perception of the learned counsel who opened this discussion. We are justified in saying so, because he builds chiefly, not on the language employed, nor upon any manifest repugnancy between the old law and the new one, but finds it necessary, if we understood his argument, to establish these propositions, and in about this order:

1st. That the third section of the fourteenth amendment is, as to the accused, either a bill of penalties or a pardon.

2d. That whichever it be, it executes itself, it takes effect from its date, and needs no legislative action to give it effect or force.

3d. Whether it is the one or the other is simply a matter of legal construction.

4th. That the court should give the language employed such a construction as will, if possible, harmonize the old and the new law, such construction should also be given as will render the last provision or enactment free from the objection of being *ex post facto.*

5th. The constitutional provision is inconsistent and incompatible with the old law, and therefore it, by implication, repeals the former enactment.

In discussing only the question of repeal, as is my duty on this occasion, I am at the outset greatly inclined to doubt the correctness of the conclusion arrived at by the counsel, because the repeal he has undertaken to establish is not the clear, natural, or inevitable result and consequence that must follow, because the two enactments are so utterly incompatible that they can not stand together; but it is, on the other hand, the doubtful result of an involved, complicated argument, founded upon many premises, the failure of any one of which is absolutely fatal to all that follows.

Clearly, the section of the Constitution which is referred to, is a bill of penalties, and it is as certainly not a pardon. That it is not a pardon is manifest, because it declared or imposes a disability as the consequence, or as a punishment for doing the act mentioned, and it authorizes a remission of the penalty by Congress—a method of restoration lacking all the distinctive features of a pardon.

That it is not a pardon of the offense of which Mr. Davis stands indicted is evident, because the offense described in the third section is not the same as that for which he is indicted. The offense there named is "engaging in insurrection or rebellion against the United States, or giving aid or comfort to the enemies thereof." He is indicted for treason in levying war against the United States.

The offenses are not only totally unlike, but the persons against whom the penalties are declared are not the same. Any citizen who levies and carries on actual war against the United States is guilty of treason, but the pains of the third section are directed only against those who, having previously

taken an oath as a member of Congress, an officer of the United States, a member of a State legislature, or as an executive or judicial officer of any State to support the Constitution of the United States, afterwards engaged in insurrection or rebellion.

How, then, can it, for the purposes of this discussion, be material whether or not this constitutional provision executes itself? How would an admission of the fact, either way, touch the question of repeal of the old law? It certainly can not be material either that the true intent and meaning of the statute is arrived at by construction, instead of standing out clearly upon the face of the law. Of this section it is enough to say, that to every man's comprehension it punishes a new offense, and a different class of persons. From the old law ordinarily the language used in the Constitution is, "Congress shall have power," for instance, to punish counterfeiting. Here the Constitution declares the penalty, and authorizes Congress to relieve from it, who? not those who have been tried and found guilty of treason, but those who, deeming themselves disabled from holding office, ask to have their disabilities removed.

It is difficult to disbelieve that this third proposition is not stated mainly to afford an opportunity conveniently to enunciate the one which follows it. It is the scaffolding which was designed to support something else, that would not stand by itself. What need is there for raising either of them, for after all the whole substance of the matter is embraced in the fifth statement, to wit, that the third section of the fourteenth amendment is incompatible with the old law, and therefore the latter must yield to it. The only pertinent inquiry is, Are they incompatible? If there is no such incompatibility the discussion is at an end—both the law and the Constitution stand.

The substantial questions of law presented here, are by no means novel or difficult, and would perhaps, be agreed to by us all—they may be conveniently stated thus.

An indictment can not be sustained upon a statute which has already been repealed, unless the repealing act contains a saving clause.

That the declaring of a less penalty for the same offense, operates as a repeal of the old penalty.

To both of these propositions I certainly cordially assent—and they are in fact abundantly supported by the highest authority, and the soundest reason. It is, however, only necessary in their support to say that, in the very nature of things, no person can be punished for a statutory offense, unless, at the very moment

when sentence is pronounced upon him, the statute itself exists in full force and vigor.

On the other hand, it is also as evident that the statute under which the accused stands charged has not been repealed in terms, but if repealed at all it is by implication only. That the repeal of statutes by implication is not favored. There must be a positive repugnance between the provisions of the new law and the old one to work a repeal by implication.

16 *Peters,* 342; 1 *Batchford,* 66, 459; 2 *Wol., Jr.,* 66, 368; *Crabb,* 66, 356; S. C., 3; *How.,* 197; 1 *Blatch.,* 66, 609. *Sedgwick on Statutory Law,* 123, *et seq.;* 13 *Howard,* 429.

We maintain confidently that between the statutes under which this indictment was found, and the third section of the fourteenth amendment, there is no repugnance—nor could there be any, by any possible construction of the two.

Because,

1st. The offenses are not the same. One is treason requiring an overt act of levying war to constitute it; the other is insurrection or rebellion, which may be committed by simply giving counsel to enemies or others raising insurrection.

2nd. The third section of the amendment only deprives one class of persons—those who for a certain purpose, have taken a certain oath—of one privilege, that of office-holding.

It not unfrequently occurs that by the doing of one act two offenses are created; for instance, burglary and larceny—would it be maintained that a statute which repealed a former statute punishing such a burglary, as a burglary, would also by implication repeal the other statute that defined and punished the larceny as a larceny. The truth is, that the two offenses are perfectly distinct. A person might be guilty of one, and not guilty of the other—or the same acts may constitute both offenses, as where one who had, after taking an oath as a member of Congress to support the Constitution, afterwards engaged in insurrection and rebellion, and in doing so, had also levied war against the United States, and thus committed treason. He would thereby be guilty of two offenses, punishable one capitally, and the other by a political disability. In such a case—and it is this case—the two statutes stand well together, and there is neither inconsistency nor incompatibility. The constitutional provision does not repeal the old law.

Richard H. Dana, Jr., for the United States.—The defendant is indicted for treason by "levying war" against the United States. By the Constitution, Article III., Section three, treason can be committed in but two ways—one, the actually levying

war against the United States; and the other, the adhering to their enemies, "giving them aid and comfort."

Since the case of the United States *v.* Cheneweth, 1 *West, L., Mo.*, 165, it has been assumed that giving aid and comfort to rebels in arms against the government in a civil war, does not come within the second branch of treason, and the defendant is not indicted for anything less than the actual levying of war. Nothing, therefore, can be a defense to this indictment, unless it is a denial of the levying of war, or is a bar to proceedings against the defendant for that exact offense.

The pleadings and arguments before the court established the fact, for the purposes of the opinion of the court, that Jefferson Davis had taken the oath as a member of congress, and, while such member, "engaged in insurrection and rebellion" against the United States. It is contended that Article XIV., Sec. 3, of the amendment of the Constitution is a bar to any further proceedings against the defendant on this indictment for treason. The position taken by the defendant's counsel is that by the effect of this amendment, the defendant has already suffered punishment or a penalty for the act charged in the indictment. The part of the amendment relied upon is as follows: "No person shall be a senator or representative in congress, or elector of president or vice-president, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of Congress or as an officer of the United States, &c. . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability." The fifth section of the article of amendment is as follows: "The Congress shall have power to enforce by appropriate legislation, the provisions of this article."

It is conceded by the counsel for the defendant, that Congress has not provided any method of proceeding against a person under section three of this amendment, or of ascertaining or declaring any disability affecting any individual thereunder; and, of course, it is further conceded that there have been no proceedings against the defendant of any character whatsoever —judicial, legislative, or executive—under that section.

On such a concession there is no position left to the defendant except to argue that the amendment of the Constitution executes itself by the mere fact of its existence on every person who may come within its scope. But even this is not enough. It is

further necessary for the defendant to contend, and his counsel does contend, that the adoption of that amendment by the people is a repeal of the statutes against treason in force when it was adopted, as to all persons who come within its terms.

Upon this statement it appears that there are two questions for the court:—First, Does amendment XIV. inflict a punishment or penalty, in the sense of the criminal law, so as to come within the category of criminal statutes?

Second, If it does inflict a punishment in that sense, is it for the offense of treason by levying war, so as to repeal the penalties in the statute against treason?

First, The fourteenth amendment is not a mere provision of a criminal law to punish individuals for offenses. It is a permanent addition to our organic political system, for the purpose of securing fidelity in the administration of office.

It is highly improbable that the people would put into the Constitution mere punishments and penalties on individuals, to take effect by the force of the Constitution itself, without judicial proceedings, for the purpose of ascertaining the guilt of the party. It is far more probable that the purpose of a constitutional provision would be a general permanent provision respecting classes of persons entitled to hold office. The Constitution establishes many disqualifications for office, as of age, foreign birth, &c., showing that the whole people are not willing to leave the selection of offices entirely to the discretion of a majority of voters in a locality, as to the particulars specified. Disqualifications have also been established by Congress, as in the case of a person attempting to corrupt a judge, or guilty of certain frauds upon the revenue. The act of 1862, chap. 195 (12 *Statutes,* 590), provides that every person guilty of either of the offenses described in that act shall be forever disqualified to hold any office under the United States; and the offenses specified are treason, and rebellion or insurrection; and for each offense the usual criminal punishments—death, imprisonment, and fine—are provided. Suppose that by one act of Congress certain high crimes of a political character were declared, and specific punishments provided for each, as death or imprisonment. Suppose a subsequent statute should provide that no persons convicted of any of those crimes should hold certain political offices specified. Could it be seriously contended that the latter statute repealed all the penalties of the prior statute? Suppose a statute should now be passed that no person guilty of pecuniary frauds in office should be qualified to hold any office of pecuniary trust, for a certain time. Would any

court decide that the statute repealed all penalties for pecuniary frauds by officers? Would it not be far more reasonable to hold that the statutes declaring disqualifications were political, and not criminal? But the argument is far stronger in the case of a provision in the Constitution, permanent in its character, claimed to operate by its own force.

There are some things in the language of the amendment which should be considered. The phraseology is not that of penal or criminal law. It does not say that persons guilty or convicted of certain offenses shall be disqualified. The phraseology is that of a general provision of public policy—"No person shall be a senator, &c. . . . who, having previously taken an oath as a member of Congress, &c. . . . shall have engaged in insurrection or rebellion." Moreover, not only is there no word of criminal or penal law used, as "guilty" or "convicted," but the amendment denominates its consequences a "disability." "Congress may, by a vote of two-thirds of each house, remove such disability." If, then, the court will consider, first, the probabilities arising from the fact that this provision is found in the organic law; second, the necessity of providing in the organic law for qualifications for office; and lastly, the phraseology of the amendment, we respectfully submit that it can come to no other conclusion than that the amendment, in this respect, establishes certain disqualifications for certain offices as part of our political system, and was not intended by the people to interfere with existing criminal and penal provisions of the statutes. Probably nothing would more surprise the people of the United States than to learn that, by adopting Amendment XIV., they had repealed all the penalties against treason, insurrection, or rebellion.

The construction contended for by the defendant is made extremely improbable by another consideration. Its effect would be to relieve persons holding high office, and therefore the more guilty, from the penalties of death or imprisonment, and leave those penalties in full force against all persons engaged in a rebellion who did not at the time hold public office. It is in the highest degree improbable that the people have established a discrimination so unjust and absurd.

It will also be observed that there is nothing in the amendment making it solely retroactive. On the contrary, it is clearly a permanent provision, prospective as well as retrospective. The effect of the construction contended for would be that, in all future rebellions or insurrections, no office holders under a State or the nation could be punished in any other way than by dis-

qualification for holding certain offices, while all persons not holding office when they engaged in the rebellion would be left subject to any penalties provided, or that might afterwards be provided, for such crimes.

It is also worthy of consideration by the court that while the Constitution confers the power of granting pardons for offenses against the United States solely upon the president, the "disqualification" proposed by this amendment, is left to be "removed" by a vote of Congress.

It has been contended that disqualification for office is a punishment in the sense of the criminal law. In support of that position the counsel have cited *ex parte* Garland, 4 *Wallace,* 333, and Cummings *v.* Missouri, *Id.* 277. But in those cases the court said nothing inconsistent with our position. On the contrary, the opinions seem to assume that disqualifications touching merely the tenure of public office are not necessarily penal, and the court held that the disqualifications in those cases were penal, because they affected men in the ordinary pursuits of life as private citizens. Indeed, disqualifications for office have no necessary connection with crimes or penalties. The accidents of birth or age impose disqualifications as serious as those which result from fault. It is entirely competent for the people to declare that persons found in certain predicaments shall be deemed unfit to hold certain offices. Public good may require such a provision, whether the person's being in the given predicament is or is not the result of misconduct; and, if it be the result of misconduct, there is no reason why the guilty person should not also be punished with the usual criminal penalties.

Another objection is that if the amendment inflicts a criminal punishment, and operates upon this defendant, it is ex post facto; and, as there are no judicial proceedings, it is subject to the objections which exist against bills of attainder, and bills of pains and penalties. It is not to be presumed that the people made provisions of that character.

Second. Assuming that Amendment XIV. does inflict a criminal penalty retroactively and by its own force—the question remains whether it necessarily touches the crime of treason by levying war so as to repeal penalties for that offense.

There is no constructive repeal of penalties unless the offense is identical, and there is a positive repugnance between the last and the former penalties, or they are irreconcilably inconsistent.

Repeals by implication are not favored, and new provisions of law are presumed to be cumulative, auxiliary or otherwise, and not to operate as repeals. Wood *v.* United States, 16 *Pet.*

342, 362; Aspden's Estate, 2 *Wallace*, 368; Davies *v.* Fairbank, 3 *How.* 636; McCool *v.* Smith, 1 *Black*, 459; Harden *v.* Gordon, 2 *Mason*, 540; Harford *v.* United States, 8 *Cr.*, 109; *Sedgwick Stat. & Cons. Law*, 127; 1 *Bishop Cr. Law*, § 197, *et seq.*

But the Amendment XIV. and the statutes against treason do not relate to the same offense. The words "treason," "levying war," are among the most ancient phrases of political criminal law, introduced into our system at the beginning, and having an established judicial and legislative construction. The amendment avoids both those phrases, *ex industria*, and selects other phrases the construction of which is equally well settled, viz., "insurrection or rebellion," and "giving aid and comfort to the enemies."

Although treason by levying war, in a case of civil war, may involve insurrection or rebellion, and they are usually its first stages, they do not necessarily reach to the actual levying of war. The act of 1793, ch. 36 (1 *Stat.* 424), assumes that parties may be in a state of insurrection, and be treated as insurgents, before the president can issue a proclamation requiring them to retire to their homes before a time named; and it is only after disobedience to that proclamation that he can use the militia or land or naval forces against them. In the Prize Causes, 2 *Black*, 635, it was decided that in the case of an instant levying of war, where the parties did not rest at the stage of mere insurrection or rebellion, the president might use the land or naval forces at once. In the same case, it was decided that, if the acts of the parties concerned amounted, in extent and character, to a levying of war against the United States, the government, in all its branches, might resort to blockade, and the search of neutral vessels on the high seas, as in the case of a war *inter gentes;* and this levying of war was fully recognized by the nations of Europe as establishing a status of belligerency on the high seas. It can not be supposed that all these powers would be developed, and all these rights exist, from the mere fact that the acts of parties amounted in law to "insurrection or rebellion," if they did not advance to the stage of actual levying of war. Nor is the levying of war any less treason, or to be regarded by the judiciary as anything else than treason, because its first developments may have been rebellious and insurrectionary in their character. The acts of 1861 and 1862 (12 *Stat.* 284, 589), recognized the distinction in the most complete manner; and for treason, which requires a levying of war to exact the penalty of death, or of imprisonment not less than five years, and fine not less than ten thousand dollars; while en-

gaging in "insurrection or rebellion" is punished by imprisonment not exceeding ten years, or fine not exceeding ten thousand dollars, or both. The judicial department of the government has recognized this distinction, and has treated several cases of insurrection with armed force as not cases of "levying war" (United States *v.* Hoxie, 1 *Paine,* 265; United States *v.* Hanway, 2 *Wallace, Jr., & Grier, J.,* in the Prize Causes, 2 *Black,* 635).

There is another respect in which the amendment and the statutes against levying war are *diverso intuitu.* The offense to which the amendment refers is the breach of the official oath and duty, by the engaging in rebellious acts after taking the oath of office. The oath and the holding are of the essence of the offense. The statutes against levying war have no reference to official duty, and the indictment in this case does aver that the defendant held an office, or had taken an oath of office.

On the whole, we respectfully submit that the true construction of the fourteenth amendment is, that the people of the United States have, as a part of their political system, established a rule that certain offices shall not be filled by persons who, having once filled them, have broken their oaths by joining in insurrection or rebellion, whether they have or have not actually levied war against the United States, in the sense of the criminal law; and that this general provision of a political and organic character is not inconsistent with, and does not repeal criminal and penal statutes respecting treason by the levying of war.

Mr. Dana was followed by *Mr. O'Connor,* who closed the argument for the defendant.

ARGUMENT FOR THE DEFENSE

He said: This motion has been met in a manner which reflects credit upon the government, its officers, and their associates. No facts are denied; no forms or special pleadings are insisted upon, nor are any technical impediments whatever interposed. By their consent a great judicial question is withdrawn from the inappropriate forum to which misconceptions had attempted to consign it. It was presented to the proper tribunal at a time and place, and under circumstances well calculated to secure a just solution. This tribunal is the highest which would take cognizance of the case, and its presidency is occupied by the foremost of our judicial magistracy. These facts unite with cherished reminiscences to dignify the occasion. This State

gave birth to Washington, the Father of our Republic; and here in its capital city, and in this very court, sat in judgment the most renowned and revered of our past Chief Justices, when as an oracle to guide his own and succeeding times, he gave the first practical illustrations of American law concerning treason. In these aspects the venue is fortunate, whilst in any other it would have been most unfit. Some who are wholly incompetent to deal with such questions, or to comprehend the necessities of a transaction greatly peculiar and exceptional, would not have allowed the forensic debate now in progress. They would fain have enacted here an absurdly grotesque drama. They would have impanelled twelve Virginians as a jury for the investigation of disputable facts, requiring them to hear proofs, attentively to consider arguments thereon, and gravely to respond on oath to the inquiry whether Jefferson Davis had participated in the great territorial civil war recently pending in the State, of which he was the known and acknowledged chief. When it is considered that the hostile territory embraced the entire length and breadth of the State, and impressed upon all its inhabitants for the time, including the jury themselves, the character of public enemies to the government, no commendation can be deemed too high for the enlightened resolve which has rescued our jurisprudence from the stigma of tolerating such a procedure. That resolve on the part of the government's law advisers is itself a concession that such indictments as those before you are not sustainable. It is persuasive evidence that the constitutional amendment now under consideration was framed with intent to prevent the further employment of such instrumentalities in spreading vexation, terror, and annoyance amongst the vanquished people of the South.

When military resistance and every other form of organized opposition to the government had ceased, the Congress, the States, and the people, properly turned their attention to the restoration of tranquillity, and no measure could have been adopted more conducive to that end than this third section of the new fourteenth article, provided it shall here receive the benign and politic construction for which we contend. It enacts in substance that no person shall hold any office, civil or military, under the Federal government, or under any State, who, having previously taken an official oath to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof.

The first proposition of my associate, Judge Ould, is that, whatever may be its effect, this constitutional provision executes

itself, and requires for its complete enforcement no judicial action. This is too manifest for denial, and seems to be conceded. In the second place, he claimed that it inflicts a punishment. This is denied; and on me devolves no further duty than that of sustaining his argument in this respect against the objections made to it. No more need be done, for if that point can be sustained the indictments must be quashed.

And from all inquiry into merely technical interpretations, common sense could not fail to discern that disqualification to hold office is a punishment. The persons upon whom the sentence here operates are those who have already held official station, and been accustomed to the honor and distinctions which flow from the possession of political power. They are, and have long been the *elite* of their section. They have been reverenced as its guides and leaders throughout whatever of good or evil has marked its history in their day. In the defeat of their enterprise, the slaughter of friends in the field, the loss of fortune, and the ruin and desolation consequent upon these things, there are entailed upon them woes that might satiate any ordinary thirst for vengeance: all that, however, relates merely to the past. But in stamping upon such men the dishonorable brand of perpetual incapacity for public trust, is it possible to maintain that no punishment is inflicted? Most other penal inflictions touch only the person; this wounds the mind. It condemns the proud-spirited leader of his countrymen in peace and war, henceforth to walk his native soil in a rank far below the humblest of his former servants—a moral leper stigmatized in the constitutional law as unworthy of any trust, however trifling. In case of a foreign invasion he is indeed allowed to bare his bosom on the field in his country's defense, but this must be done, if at all, in the ranks as a private. Though among the bravest of the brave, and endowed with great ability to lead or otherwise execute the duties of a soldier, he may not be able to serve in the ranks, for physical strength is not always an accompaniment of intellectual excellence. In such a case the glorious privilege of contending for his country, and surrendering life, if needful, in her behalf, is virtually denied him. And this for what reason? Why, because he is a proclaimed traitor and *quasi* perjurer. It is because untried and unheard he has been condemned as utterly unworthy of trust or confidence. Seclusion from the paths of duty, honor, and renown, by an irreversible conviction for asserted perjury is surely an infliction and as against the class in question is the severest that human ingenuity could have devised. It was not only of the severest

nature, but according to the conception entertained of the offenders by those who devised it, the most poignantly afflictive. It touched precisely the offending part. Their crime was deemed the offspring of a lawless ambition, and by this disfranchisement, self-respect was incurably wounded—any future indulgence of ambitious aims was rendered impossible.

This view of the subject has been treated almost scornfully. Suggesting, with truth, that the erring multitude who never held office are not, according to our views, within the scope of this amendment, the learned counsel for the government pronounces the construction unreasonable. The leaders have, as he expresses it, added perjury to treason, and he accounts it unjust to visit them with no other penalty than a disqualification to hold office, leaving subject to indictment and the halter that less culpable class who were misled by their arts and contrivances. A practical discrimination of this kind might indeed seem objectionable; but the idea is altogether fanciful. Amongst civilized nations it has never been thought admissible or possible to prosecute the multitude. The undistinguished individual members of a rebellious State have never been thus dealt with. No great civil war was ever followed by an attempt to inflict punishment upon the masses through proceedings in the civil tribunals. Even when such forms have been dispensed with, and summary military executions resorted to, none but the most barbarous nations have ever gone so far as a decimation of the vanquished. There never was any danger or any possibility of such a course in respect to the people of the Southern States. Great as is the number interested in advising prosecutions, practice illustrates the truth of these remarks. Throughout the South nearly every man and woman, nay, almost every child capable of participation, gave aid or comfort in some form to the cause of their section during some part of the recent conflict, yet now, after the lapse of three years from its termination, not one single private individual of this great multitude has been prosecuted. The many have not been indicted, nor is there any disposition or intent to indict them. The counsel may, therefore, relinquish his fears in their behalf: they can dispense with his sympathy: they are safe in their numbers and their obscurity, so far, at least, as respects the danger of indictments for treason. Not a single prosecution of the kind has been instituted except against persons of the very classes named in this amendment. Of these not more than a dozen have been prosecuted; and the government, to its great credit, has never attempted to bring one of these to trial. No man who fought in

the Confederate ranks, or otherwise served the insurrection in a private capacity, has been indicted. Thus, the actual practice in this instance is shown to be in conformity with the experience of other times and countries in dealing with rebellions. In this fact is found a full answer to that argument against us which, it must be confessed, might strike an unreflecting person as plausible. Indictments, trials, and formal execution on the scaffold for political action deemed criminal in the peremptory judgment of the victor, are honors reserved for the chiefs only; and, therefore, in substituting another punishment it was quite natural that the framers of this amendment should have taken no notice of the many. An immutable State policy provided amply for their protection. An assurance to them that peace was restored, was indeed advisable. As a measure of statesmanship, it was dictated by wisdom, by humanity, by patriotism, and no form of giving expression to that assurance could have been more discreet on the one side, and more satisfactory on the other, than an irreversible prohibition of all future prosecutions against the leaders. Such was the true intent and aim of this amendment. General amnesties are appropriate to the termination of a civil war. If the construction contended for imparts in practical effect that character to the clause, the court should not be the less willing to accept it. Benignity toward the vanquished has been practiced even by monarchial power; it is eminently worthy of a republic. For proof of this I refer to 12 *Charles 2d, Chapter II, Section* 23.

Judge Underwood.—How long after the restoration was that?

Mr. O'Conor.—One year.

Chief Justice.—That was not a well executed amnesty, except by the execution of many whom it amnestied.

Mr. O'Conor proceeded:

In the reason of the thing, and according to the authorities cited by my associate, Judge Ould, disqualification to hold office is a punishment, but the Constitution itself affords positive proof that it is so considered. The entire constitution, including all its amendments, is to be regarded as one instrument, and each of its provisions is to be construed in harmony with all others contained in it. The first article provides in its third section that "judgment in cases of impeachment shall not extend further than removal from, and disqualification to hold office." It then superadds, that nevertheless "the party convicted shall be liable to indictment, trial, judgment, conviction and punishment according to law."

If disqualification to hold office was not regarded by the

framers of the Constitution as a punishment, this additional provision would not have been necessary or proper; and from its insertion an irresistible implication arises that within the true intent and meaning of the fundamental law, such a disqualification is a punishment inflicted upon the individual against whom it is denounced or adjudged. The punishment in the section just referred to, is there called a "disqualification;" the penalty denounced in the amendment which we are considering, is called a "disability." No jurist will deny that these two words as employed in those provisions are perfectly and strictly synonymous. The new Fourteenth Article is but a supplement to the Constitution, and it can not be supposed to employ similar language in a sense different from that which governed in framing the original instrument. If it was not intended to make the disability denounced in the amendment, and inflicted by it, a substitute for any criminal or other prosecution to which the persons thus punished might have been before liable, a declaration to that effect would certainly have been added, as in the clause concerning impeachments.

It is not necessary to deny that preventing the appointment or election to public office of persons deemed unworthy, was an object of this amendment. That motive might well co-exist with the design to punish. Both certainly governed in framing the first branch of the impeachment clause. The second branch proves it. Indeed the primary object of all criminal law is to protect society by remedies for existing or anticipated evils. The object is not to wreak vengeance on the individual. Still, if the remedy resorted to be in itself punitory, a second punishment can not be inflicted as of course. The express sanction of some paramount law is needed to authorize such a departure from general principles.

The counsel for the government, assuming the provision to be prospective, contends that our construction would make it hold out a standing invitation to every artful man having treasonable objects in view to obtain office if practicable, and take an oath to support the Constitution as a preliminary step in crime. It is asked whether one who had thus sworn to support the Constitution would thenceforth stand privileged to engage in rebellion against the government, without danger of any more serious penalty than disfranchisement, whilst the comparatively venial offender who had never been confided with a public trust, and had not forsworn himself, might be hanged for a similar offense? This argument loses all force, and the illustration becomes pointless, the moment it is perceived that the provision is retrospective

only. Penalties and punishments denounced by positive law are *prima facie* prospective only: the ordinary legislator is rarely empowered to give them a retrospect. But the sovereign authority from which this provision emanated was under no other than moral restraints in that respect; and it will be conceded that the disqualification is denounced for offenses previously committed. That intent can not be denied, and the words employed are adequate to express it. But they are wholly incompetent to include both past and future delinquents. To reach the latter other words would clearly have been necessary: we therefore respectfully insist that pre-existing offenses only are within the scope of this provision. But if it is to be deemed capable of embracing also future offenders, still its operation as to them would be very different. Both the statutory punishment and this constitutional disqualification being enacted previously to the offense, no principle would be violated by imposing both penalties. But so far as this clause affects precedent offenses, unless it be taken as substitutionary, it would violate natural justice. In that case it would, contrary to recognized principles, add after the offense a new penalty to those which existed at the time of its commission.

The counsel now representing the government are evidently themselves convinced that the motion must prevail if a disability to hold office denounced against alleged offenders for their acts shall be deemed by this court the infliction of a penalty or punishment. Clearly it is in fact, and was deemed a penalty; it is impossible to avoid that conclusion. No one can suppose that an additional punishment for previous offenses was intended, leaving the offenders subject to those previously existing. Indeed the government counsel do not contend for that position: they content themselves with persistently denying, contrary to the manifest fact, that the clause is at all punitory. We trust this point will be determined against them. It is required by principles of natural justice, which have been recognized from the earliest times. They are older indeed than any of our written laws.

At the close of the rebellion there were controlling reasons of policy in favor of adopting disfranchisement for participating in the rebellion as a substituted punishment in lieu of the pains and penalties denounced in the crimes acts. A state of things existed which rendered criminal prosecutions under these acts inexpedient if not absolutely impracticable, yet it was difficult to argue successfully against a prevailing and irrational outcry for experiments in that direction. Many disturbers urged them.

These persons were not prepared to hear, much less to acquiesce in the reasons which justified a refusal to keep up a war of indictments against the Southern leaders.

Sound minds having influence in public affairs therefore devised this amendment as a method of extricating the administration from a perplexing dilemma. The construction for which we contend can alone give it this effect. Such was, undoubtedly, the intent of its framers; and, if so expounded by the courts, its operation will be as benign as its conception was just, wise, and politic.

That insuperable difficulties lie in the way of maintaining indictments for treason against the chiefs of the late insurrection is obvious. That any difficulty, even the slightest, can be encountered in such prosecutions is, to be sure, utterly incomprehensible to a certain narrow-minded class. The latter view the transaction precisely as they would the riotous action of a few school-boys during part of a summer afternoon. This court will entertain a larger and truer conception of its nature and consequences.

When an insurrection has reached the dimensions of a territorial civil war, and has upheld its dominion over a territory and people for a considerable period, the authority of the lawful government is suspended in fact, and its municipal laws are suspended for the time, except so far as the rebels adopt and act upon them as their own. Consequently, belligerent rights arise. The lawful government is unable in fact to extend any protection to the peaceful inhabitants within the rebel lines; and, as a matter of policy, it outlaws them all, the most innocent and loyal in common with the most guilty and disloyal. Women, children, idiots, lunatics, and all who from mental or physical imbecility are unable to leave the country, are denounced as enemies. Not only is protection withheld from them, but their property, wherever found, is seized upon as lawful prey and prize by the government forces. The Supreme Court decided that the rebellion in the Southern States reached such dimensions and acquired such permanency as to impress upon the confederate territory and all the people within it, these hostile and essentially foreign relations toward the government of the United States. This state of things having existed for several years, and over a widely extended territory containing millions of inhabitants, it would be manifestly inconvenient and oppressive if, at the close of the conflict, the municipal law of the rightful government could at once come into full operation in respect to all intermediate belligerent acts, and be administered precisely

as if no such interregnum had existed. The rebellion in this expanded form, with all the attributes *de facto* which belong to an independent State, lasted four years; it might have lasted forty years, or a hundred years. The same principles of law would apply in each of these cases; and it would be a novelty in jurisprudence if courts were to disregard as utterly inconsequential such a long exercise of independent power. Such ideas can not be practically enforced. Let us imagine a century of successful resistance, and the Southern Confederacy at last stricken down by the power of the government. If the war wrought no change during its existence in the duties of the people and the rights of the government, the laws and tribunals of the United States would immediately resume their sway, all intermediate acts would be treated as if the country was, during the whole interval, in its normal condition. The great grandson of Jefferson Davis, born in a nation *de facto* maintaining open and acknowledged war with the United States, and whose ancestors for two of three generations had stood in that same relation to our government, might be at once tried and executed as a common rebel and traitor. The argument for the prosecution in that case would be as direct and simple as it is in the present. The United States having claimed sovereignty over the land of his birth at all times from the inception of hostilities, had at last maintained its claim by the *ultima ratio*. He was a citizen born; his long and successful resistance would avail not. It would be deemed merely an aggravation of his imputed crime. The argument would be brief, and it might be thought unanswerable; the indictment could be put in due form; and if, as some short-sighted people suppose, such a thing is practicable in this case, conviction and execution might promptly follow in that case. But such a procedure would outrage the moral sense of all civilized nations, and cover the perpetrators with infamy; yet, if the municipal law of the rightful government be not, in some degree at least, displaced by the state of belligerency between it and the rebels, such an indictment, conviction, and slaughter would be juridically unexceptionable.

Even in respect to civil controversy, such a civil war must work important changes. It can not be regarded as in all respects a mere riot. It is familiar doctrine that every member of a co-operating party engaged in violently executing an unlawful enterprise, is responsible for all injuries done by his associates. If the existence of our civil war worked no change in the application of this rule, any loyal citizen or soldier who suffered wounds or other injury during the late struggle, no

matter where or how, could maintain a civil action for damages against any one or all of the thousands who served in the Confederate army. The common judgment of all our people that no such action would lie, is proven by the fact that no such action was ever brought. Occasions for it have been numberless, and a taste for litigation is not rare. Common sense has dictated to common minds that an open recognized civil war does work a very important change in this respect. The reluctance of the government to prosecute their criminal cases is also strong evidence of similar views in high places. From these and other considerations that might be offered we assert as an undoubtedly sound proposition of law, that belligerent acts upon the rebel side performed in the due and orderly prosecution of a recognized civil war are not proper subjects of criminal prosecution during the conflict or after its close.

This doctrine might not satisfy the demands of justice if there were no other method of punishing gross delinquency in maintaining a rebellion; but the methods are ample. The war which displaces the municipal law, furnishes its own remedies. The very defeat of the rebels carries with it a multitude of inflictions; and if by conducting the war in an inhuman, cruel, or improper manner, they actually merit severe punishment, it may be inflicted without a resort to the civil tribunals. In such a case the leaders may be executed after or without a summary trial by court martial; the privates may be decimated or quarter wholly refused to them. There is no law capable of being enforced which enjoins upon the victor in war an obligation to spare his vanquished adversary. In the absence of compassionate feelings on his own part, he is under no restraint, except his respect for the common sentiment of mankind, and his unwillingness to incur the just censure of future ages.

When the vanquished in any such case have conducted themselves in so criminal a way as to deserve extreme severity, it may be employed against them with entire impunity. When they have not thus offended it ought not to be employed. It will, therefore, be seen that there is no occasion for resorting to the civil magistrate at the close of a civil war. His powers by indictments and trials by jury are not necessary to the just punishment of wicked rebels for warring against the government. But one motive could induce a victorious general, at the close of the civil war, to deliver his conquered adversary to the civil magistrate as a traitor; and that is a cowardly reluctance to confront the judgment of mankind on his own act in condemning the prisoner to a military execution. To be employed in thus shield-

ing from responsibility a cruel and revengeful spirit would be a mean office. It is greatly to be regretted if, under any circumstances, the judges of the law could be compelled to perform it. But in the very nature of things, and by the fundamental principles of jurisprudence, they are necessarily exempted from it. In cases of civil war the right to prosecute the multitude in the ordinary course of law never was desired by any government, and as against the leaders it is upon general principles impossible. There acts are public, open, and notorious. They do not form a legitimate subject of proof or disproof in a court of justice. Known to the government in all its departments, they are also actually and officially known to the judges. A demurrer to the plea of not guilty would seem a very fitting step for the prosecutor. A plea which the pleader would not be permitted to prove by witnesses could hardly be allowed as a bar. So much for the evident impracticability of employing the courts in such proceedings. This is an obstacle arising out of the very nature of things. But the Sixth Amendment to the Constitution contains by implication, or at least by its necessary effect, a prohibition of such prosecutions. It is as follows: "In all criminal prosecutions the accused shall enjoy the right of a speedy trial by an impartial jury of the State and district wherein the crime shall have been committed; which district shall have been previously ascertained by law." An impartial jury in the present case is an impossibility. To obtain one in any similar case that may possibly hereafter arise, will be alike impossible. The trial is required to take place in the very seat and hotbed of the rebellion, where the jurors themselves must have actual personal knowledge of the principal facts which, upon an indictment and plea, would be formally put in issue. However fit to serve as witnesses, or to stand in the dock as prisoners, the inhabitants of the rebel district can never be competent jurors. Submitting to a jury of the County of Henrico the question whether an open and public war against the United States was here maintained and waged, and whether Jefferson Davis was the leader of it, would be not only a mockery and a farce, but a plain violation of the constitutional requisite that the jury shall be impartial. It is quite apparent that such a jury never can by any human possibility be found in the identical State or district in which such a public territorial war as that under consideration shall have been prosecuted. Taking this into view, and seeing that the Constitution requires a speedy trial, and forbids it to be had elsewhere, there results by obvious necessity a practical prohibition of indictments for treason in such cases. What the Con-

stitution renders practically impossible it in effect forbids to be done. There can be no reasonable doubt that such was the intent of the revolutionary fathers. We find in the history of the times an adequate stimulant and incentive. It was in 1745, whilst many of those who subsequently participated in the revolution and in forming the Constitution were yet in their early youth, and glowing with the compassionate sentiments which are then most active, that precisely such cruelties as this Sixth Amendment forbids were perpetrated in the mother country. No doubt they excited a thrill of horror and indignation throughout the colonies. The so-called Scotch rebels supported the Stuart, whom, not without some show of reason, they sincerely believed to be their legitimate sovereign. An honest if misguided loyalty animated their devotion to his cause, but superior force prevailed, and they were conquered. After their defeat the leaders were subjected to civil prosecutions for treason. They were not tried by or among their own countrymen; conviction there might have been impossible. They were dragged from their mountain homes to the county of Surrey, and there tried before Special Commissioners and English juries, to whom impartiality could not have been imputed. They were generally convicted and executed with all the attendant horrors enumerated in the barbarous treason sentence. They were hanged, drawn, and quartered. Many of the cases are stated in Sir Michael Foster's *Treatise on Crown Law*. This work, first published in 1761, soon found its way across the Atlantic; and just about the time when "the troubles in America," as they were called, began to unsettle British authority here. The harsh treatment and cruel fate of these true-hearted people were thus fully described and made known to our people. One of the most thrilling of these scenes was the subject of Shenstone's touching ballad, "Jemmy Dawson." It can not be doubted that the feelings excited by these cruel prosecutions induced the adoption of this Sixth Amendment. It was intended that no such transaction should ever stain the judicial annals of our country. It is fairly supposable that the far-seeing men who guided popular action in those days intended to render utterly impracticable such governmental measures at the close of any civil war that might perchance occur as a set of indictments for treason. They intended to let civil war, if it should arise, apply its own remedies for whatever of wrong might be committed in its progress. To harass a vanquished district with indictments for political offenses was not in their eyes a judicious policy. Honorable com-

bat in the field should never be followed by a sordid persecution of the vanquished brave in criminal courts through the vile agency of spies and informers.

It can not be said that civil wars were not contemplated as possible or probable. In the Federalist, Letter No. 28, Alexander Hamilton himself portrayed in vivid colors as a possible future event, armed resistance of the federal government by a State or several States acting in concert and acting very effectively. The possibility of such events as have recently transpired in the South was foreseen. The Sixth Amendment was framed expressly to prevent this precise mischief in case they should occur, and the Third Section of the Fourteenth Article was framed in the same spirit. We respectfully insist that the court should interpret it accordingly, and by dismissing these vexatious prosecutions, give an assurance to the whole country that in all its forms the late unhappy conflict is ended. All honest admirers of that universal suffrage which has been established through this great civil war, earnestly desire that it should be accompanied by an amnesty as nearly perfect as possible of all political offenses committed during the struggle. Good men of all parties must entertain similar wishes.

On Saturday morning, December 5th, the Chief Justice announced that the court had failed to agree upon a decision in regard to the motion made to quash the indictments against Mr. Jefferson Davis.

The counsel for the defendant then asked that the fact of the disagreement be certified to the Supreme Court of the United States.

The Court signified its acquiescence, and thereupon the following paper was entered upon the record:

CERTIFICATE OF DIVISION.

"At this term of the court, begun and held at Richmond, in the said district, on the 23d day of November, 1868, and continued until this day, a motion was made on behalf of the defendant to quash or set aside the said indictment, and to dismiss the same and the prosecution thereof.

"And upon that motion it appeared that the said Jefferson Davis, having previously to the offenses charged in the said indictment taken an oath as a member of Congress to support the Constitution of the United States, the question arose whether, by the operation and effect of the third clause of the Fourteenth Amendment to the Constitution of the United States,

the defendant is exempted from indictment or prosecution for treason in levying war and participating or engaging in the late rebellion. And upon that question the opinions of the judges were opposed. And thereupon the said point is upon the request of the said defendant, stated under the direction of the said judges, and certified under the seal of the said Circuit Court to the Supreme Court of the United States at its next session."

After this certificate had been filed the District Attorney (Beach) said the only thing now necessary to be disposed of, was the appointment of the day for the trial. As counsel were anxious for a full bench on the occasion, he suggested the naming of some day after the adjournment of the Supreme Court before the close of the present term of the court.

The Chief Justice.—The difficulty is in fixing a day when there will be a full bench, as it is impossible to tell how long the Supreme Court may remain in session.

Mr. O'Conor.—In order that counsel may be definite in their appointments, he was rather inclined to ask that the recognizance of Mr. Davis be renewed for the May Term.

The Chief Justice.—Well, the recognizance may be renewed at any time during the present term. It is quite probable, however, that the court will adjourn before Christmas. The recognizance must, of course, be renewed before that time.

Mr. O'Conor.—It will be renewed immediately, to-day or on Monday.

The Chief Justice.—Very well. The certificate of disagreement has been made, as requested by the defendant. It may be filed, and a copy forwarded immediately to Washington.

Whereupon the court adjourned.

No further proceedings were had in the cause. The Proclamation of General Amnesty by the President of the United States at the end of December, 1868, effectually disposed of the criminal prosecution, and the certificate of disagreement rests among the records of the Supreme Court, undisturbed by a single motion for either a hearing or a dismissal. At a subsequent term of the Circuit Court, the indictments against Mr. Davis were, on motion of his counsel, dismissed.

The Chief Justice instructed the reporter to record him as having been of opinion on the disagreement, that the indictment should be quashed, and all further proceedings barred by the effect of the Fourteenth Amendment to the Constitution of the United States.

Dabney H. Maury to Jefferson Davis.
(From Confederate Memorial Hall.)

(Recollections of the Defense of Mobile.)

New Orleans, Dec. 25, 1867

My Dear Sir,

I avail myself of your permission to narrate to you the history of the last great military operation between the Troops of the Confederate States and the Troops of the United States.

Immediately after the Battle of Nashville preparations were commenced for the reduction of Mobile.

Two corps which had been sent to reinforce Thomas, at Nashville, were promptly returned to Canby in New Orleans, and the collection of material and transportation for a regular siege of Mobile commenced.

General Taylor agreed with me in the opinion that ten thousand men in Mobile would compel a siege by regular approaches, would occupy the Federal Troops in the Southwest for a long time, and would be as much as the Confederacy could spare for such objects.

He thought he could send me such a force; and believed that the Cavalry under Forrest would be able to defeat Wilson and succor me, and prevent the successful siege of the place, if I could hold out for seven days.

The general orders given to me by General Beauregard and General Taylor were to save my garrison, after having defended my position as long as was consistent with the ultimate safety of my troops; and to burn all the Cotton in the city except that which had been protected against such burning by the Confederate authorities.

Canby organized and assembled his forces in Mobile Bay and at Pensacola. Two Army Corps rendezvoused on Fish River under the immediate command of Canby. Another Army Corps assembled at Pensacola under Gen. Steele.

The whole Expeditionary force against Mobile consisted of 50,000, Fifty thousand Infantry, Seven thousand Cavalry, a very large train of siege and field Artillery, a fleet of more than twenty men of war and about fifty transports (mostly steamers).

The preparations having commenced in December, the attack began on the 25th of March. My total effective force was about 7,700, Seven thousand seven hundred excellent Infantry and Artillery, 1500 fifteen hundred Cavalry and about 300 Field and siege guns.

A small naval force of four gunboats cooperated with my Troops.

The column under Canby marched from Fish River against my position of Spanish Fort on March 25th. Information received through my advanced cavalry induced me to believe that the column from Fish River was not more than 12,000 strong; and expecting it would march by the River Road, with its left covered by the fleet, I organized a force of 4,500 men and ten guns and resolved to give battle to Canby at the crossing of D'Olive creek about two miles distant from the works of Spanish Fort.

My Troops were the Missouri Brigade of Cockrell, Gibson's La. Brigade, Ector's Texas and North Carolina Brigade, and Thomas' Brigade of Alabama boy reserves,—the 3rd Missouri Battery and Culpepper's Battery. I felt confident then and the light of experience justifies the confidence, that had Canby marched upon me with only 12,000 troops, I should have beaten him in the field.

But he moved by a road which turned my position far to the left and his force was near forty thousand men.

I therefore threw my troops into the works of Spanish Fort and Blakely and awaited his attack in them.

I assigned Gen. St. John Liddell to the immediate command of Blakely and General Randall Gibson to the immediate command of Spanish Fort.

They were both Gentlemen of birth and breeding—soldiers of good education and experience and entirely devoted to their duty.

Spanish Fort was garrisoned by Gibson's Louisiana Brigade, the Brigade of Alabama Boy Reserves, part of the 22nd Louisiana Regiment (Heavy Artillerists) Slocomb's Battery of light Artillery, Massenburg's (Georgia) light Artillery Company, and a few others not now remembered.

The works of Spanish Fort consisted of a heavy battery of six guns on a bluff of the left bank of the Appalachicola River, some 3000 yards below Battery Huger. This was strongly enclosed in the rear. On commanding eminences, 500 to 600 yards to its rear, were erected three other redoubts, which were connected by light rifle pits with each other. The whole crest of the line of defence was about 2500 yards, and swept around Old Spanish Fort as a centre with the right flank resting on Apalachicola river, the left flank resting on Bayou Minette.

At first the Garrison consisted of about 2500 effectives. But I reduced its numbers by transferring the Brigade of boys to Blakely and replacing it by veterans of Ector's Brigade and

Holtzclaw's Alabama Brigade; after this change was made (about the 4th day of the siege) the position was held by 1500 muskets and less than three hundred artillerists.

On the 26th March Canby invested the position with a force of one Corps, and two divisions of infantry, and a large siege train; another division of infantry invested Blakely on the same day.

The siege of Spanish Fort was at once commenced by regular approaches, and was prosecuted with great industry and caution, —the defence was bold and defiant and active. The garrison fought all day and worked all night until the night of March 8, when the enemy effected a lodgment on the left flank, which threatened to close the route of evacuation for the garrison.

I had caused a plank road or bridge to be made on trestles from the left flank of the lines of Spanish Fort, over the Bayou Minette and the marshes to a point opposite Battery Huger; and Genl. Gibson's orders were to save his garrison when the siege had been protracted as long as was possible without losing the troops.

On the 8th of April, I ordered Gibson to commence the evacuation that night, by sending over to Mobile all surplus stores, etc., for which purpose I sent him some of the blockade steamers. They arrived in good time to save his garrison. For at 10 P.M. Gibson finding the enemy too firmly established on his left to be dislodged, marched his garrison out on the plank road, and abandoned the position of Spanish Fort, and its material to the enemy. I lost some pickets and about 35 cannon and mortars. I moved the troops to Mobile anticipating an early attack on the city.

Blakely was attacked by regular siege on the 1st of April. Steel's Corps came down from the direction of Pollard and with the divisions which had been lying before Blakely since the 26th broke ground very cautiously against the place.

The position of Blakely was better for defence than that of Spanish Fort. The works consisted of nine lunettes connected by good rifle pits and covered in front by a double line of abattis and an advanced line of rifle pits. The crest was about 3000 yards long. Both flanks rested on Appalachicola river, or the marsh. No part of the line was exposed to enfilade fire. The Garrison was the noble Brigade of Missourians, the survivors of more than twenty battles, and the finest troops I have ever seen. The Alabama Boys' Brigade under Gen. Thomas, part of Holtzclaw's Brigade, Barry's Miss. Brigade, the 1st Miss. light Artillery armed as Infantry, several light Batteries and about 35 pieces of siege and field Artillery, besides cohorn and siege

mortars. The whole effective force was about 2700 men under command of Gen. St John Liddell.

During Sunday the day after the evacuation of Spanish Fort, the enemy was continually moving Troops towards Blakely from below, and Sunday evening about 5 o'clock he assaulted the centre of the line with a force of Eleven Brigades, about 22000 men, in three lines of battle, and carried the position, capturing all of the material and of the Troops except about 150 men who escaped over the marshes and by swimming.

On the loss of Blakely I resolved to evacuate Mobile. My effective force was now reduced to less than 5000 men, and the supply of ammunition had been nearly exhausted in the sieges of the two positions which the enemy had taken from me. Mobile contained near forty thousand non-combatants. The city and its population were entirely exposed to the fire which would be directed against its defences. While the consequences of its being stormed by a combined force of Yankee and negro troops would have been shocking. With the means now left to me, an obstinate or protracted defence would be impossible. My orders were to save my troops after having made as much time as possible. Therefore I decided to evacuate Mobile at once.

Blakely was carried on Sunday evening at 5 o'clock. I completed the evacuation of Mobile on Wednesday morning, having dismantled my works, removed the stores best suited for troops in the field, transferred the commissary stores to the Mayor for the use of the people, and marched out 4500 infantry and artillery, 27 light cannon, together with all the land and water transportation.

During the night of Tuesday I remained in the city with the rear guard of 300 La. infantry and marched out on Wednesday morning with them at sun rise.

I left Gen. Gibson to see to the withdrawal of the cavalry pickets and the burning of the Cotton. At 11 o'clock the whole business of evacuation being completed, Gen. Gibson sent the Mayor of Mobile with a white flag to the fleet to inform the enemy that he might take quiet possession of Mobile since there was no Confederate force to oppose him, etc. Soon after mid day Canby marched in.

Six thousand cavalry had been sent up the country from Pensacola to prevent my escape, but they could not get across the Alabama and Tombigbee rivers which with their bottoms were full of water, and I reached Meridian with my little Army unopposed, no active pursuit was made.

By Gen. Taylor's orders I moved my troops to Cuba Station, refitted my transportation and field batteries and made ready to march across to join Gen. Joe Johnston in Carolina. The tidings of Lee's surrender came, then of the capture of the President of the Confederacy. But under all these sad and depressing trials, the little Army of Mobile remained steadfastly together, and in perfect order and discipline awaited the final issue of events.

On the 8th of May we marched back to Meridian to surrender and on the 13th May, we had completed the turning in of our arms (to our own ordnance officers) and the last of us departed for his home, a parolled prisoner of war.

Nothing in the history of those anxious days appears to me more touching and devoted than the conduct of the Garrison of Mobile. Representatives of every State of the Southern Confederacy, veterans of every Army and of scores of battles; they resisted an army of ten fold their numbers until near half their force was destroyed.

After reaching their encampments near Cuba, they preserved the dignity of brave and devoted men who had staked all and lost all save honor. Every night they assembled around the Camp fires of their Generals and called for tidings from the Armies of the Confederacy and from their President. After receiving all the information we could impart they would give us "three cheers" and return to their bivouacs.

I think there was no day on which they would not have attacked and beaten three times their force of the enemy.

During the fourteen days of siege of Spanish Fort, the daily losses of the Garrison in killed and wounded ranged from 15 to 20. During the eight days of the siege of Blakely the losses were from 20 to 25.

The only officer of rank killed was my chief of artillery, Colonel Wm. E. Burnett, son of the venerable ex-President of Texas. He was a man of rare attainments, of extraordinary military capacity and of unshrinking courage. On the morning of April 4th, I took him with me to Spanish Fort to establish a new Battery; a sharpshooter shot him in the forehead and he died in a few hours.

There were many instances of fine conduct during these operations. You may remember that there were two little batteries constructed on the right bank of the Appalachie river several miles below Blakely, called Huger and Tracey. They were to defend that river. They had but little over two hundred rounds of ammunition to each gun, and therefore I made them

hold their fire during the whole siege. The Garrisons were 300 men of the 22nd La. under command of Col. Patton of Fredericksburg, Va.; early in the action the enemy opened some Parrot batteries on these forts, and for more than ten days they silently received the fire they might not reply to. After Blakely fell these two little outposts remained close to the centre of the Army of the enemy (50000 men) who were continually opening new guns upon them and increasing their fire. Still they replied not. On their right lay the great Yankee fleet; ten miles to their rear was their nearest support—in Mobile—and a waste of marshes and water lay between. At last came the long wished for order "Open all your guns upon the enemy. Keep up an active fire and hold your position until you receive orders to retire." And so they did; until late on Tuesday night, I sent Major Cummings of my staff to inform them that the evacuation of Mobile was completed; their whole duty was performed and they might retire. The first steamer sent for them grounded and I had (about 2 A.M.) to despatch another. Every man was brought safely off with his small arms and ammunition. They dismantled their batteries before they abandoned them, and it was nine o'clock Wednesday morning before they left the wharf of Mobile for Demopolis.

I believe the enemy's loss during all the operations was not less than 7000 killed and wounded. Two of his iron clads were sunk on Appalachie Bar by torpedoes. Four other armed vessels and five transports were sunk during and after the siege. Making with the Tecumseh 12 hostile vessels destroyed in Mobile Bay by torpedoes. Our own little fleet did all they could to aid me, but there was little opportunity for them. On the morning of the evacuation the two floating iron batteries were sunk in the river by order of their own crews. The other vessels moved up the Tombigbee river to Demopolis in convoy of the fleet of transports.

I reflect with satisfaction that it was my privilege to command Confederate troops in our last great battle, and that those troops behaved to the last with so much courage and dignity.

With gratitude for your kindness to me, with sympathy for your misfortunes, and with the highest respect,

I remain truly yours,

DABNEY H. MAURY.
Maj. Gen. late Confederate Army
Prisoner of War on Parole.

To the Hon.
Jefferson Davis,
President of the Late Southern Confederacy.

J. E. Johnston to Jefferson Davis.

(From Confederate Memorial Hall.)

84 Cathedral street, Baltimore, Jan. 6, 1868.

Sir,

Since I had the honour to receive the letter in which you informed me that you would instruct Genl. Wharton to furnish me with a copy of a paper described by me, if he had such a one, that gentleman has written to me that he was the borrower, not the custodian of the paper described—that he had requested Mr. Barksdale, from whom it had been borrowed, and to whom it had been returned, to give the copy asked for by me and authorized by you, which was refused.

There seems to have been no doubt in the minds of these gentlemen as to the Paper designated. It seems to me, therefore, not unfair to infer that my description was not inaccurate. Under these circumstances, I respectfully request you to instruct Mr. E. Barksdale to furnish my friend (who is at least as much yours) Col: Jas. M. Kennard with a copy of the paper in question. Unless, as seems not improbable from Genl. Wharton's language, its early publication is intended.

Most respectfully
Your obt. servt.
J. E. Johnston.

The Honble. Jeffr: Davis.

T. J. Wharton to Jefferson Davis.

(From Confederate Memorial Hall.)

Jackson, Jany. 24th, 1868.

Hon. Jeffn. Davis,

My. Dear Sir,

I duly recd. yr. favor enclosing copies of correspondence with Genl. Johnston. I had hoped that in a few days I should have the pleasure of seeing you, in person at Richmond, as I was one of the commission apptd. by the Govr. to aid in your defence. Being compelled to be in Issaquena Co. at Court, on the very day apptd. for yr. trial, I was unable to leave with Messrs. Anderson and Hooker,—the other two associates on the commission. I went to Issaquena—had my cases contd. on the first

day,—hurried home in order to start to Richmond. On reaching home learned that your trial was postponed. I then wrote to you at length, and from abundant caution, sent the letter under cover to Hon. James Lyon, Richmond. By an inadvertence, I addressed the letter to Richmond, Missi. There is an out of the way Post office in Itawamba Co. of that name. The P. M. here asked me the next day after the letter was mailed (he recognized my hand writing) if I had not meant it for Richmond Va. I was amazed at the misdirection and got him immediately to order the letter to be returned here. Many weeks have elapsed and I have heard nothing of it. I will repeat the substance of it. I stated that our mutual friend, Hon. E. Barksdale, had a copy of a communication addressed by you to Congress, in answer to a resolution of that body requesting you to restore Genl. Johnston to the command of the Army in Ga. You assigned the reasons why you could not accede to the request. This paper was lent to me by Major Barksdale. Under the seal of confidence I read it to Judges Handy and Harris, of the Supreme Court, to the Governor and Col. Hooker, and possibly to a few other discreet friends. I supposed it was understood by all of them that it was submitted under seal of confidence. I regarded it as a most triumphant defence of your conduct in the removal of Genl. Johnston, and only regretted that considerations of policy made it imprudent to publish it from the housetops. The Gov.'s private secretary, Col. Kennard, was present at a conversation between the Gov. and myself, after the Gov. had read the paper, in which I spoke of it in very eulogistic terms. He begged of me the privilege of reading it, which I accorded. My recollection was, and is that I impressed upon him that it should not go out of his hands, nor be publicly referred to, in any way. His recollection is different from mine, on that point, and I am willing to believe, as he is an honorable man, not unfriendly to you, (but, I think, a warm partizan of Gen. J. in most matters) that he deeply regrets that he should have caused the correspondence between you and Gen. J. Indeed, he has expressed to me the deepest concern about it. Shortly after Col. K. read the paper,—Gen. J. was here. A few days after he left, I was called on by Judge Wm. Yerger, who said Genl. J. had been informed that I was in possession of a paper written by Mr. Benjamin, whilst Secty. of State, criticising severely his Military character, and as the Genl. was about to write a history of his campaigns, he was very anxious to get a copy. I told him Genl. J. was mistaken, explained the character of the paper and by whom written (yourself) that I had, some months before, returned it

to the friend from whom I borrowed it, and that it was no longer under my control. I heard nothing more on the subject, until I reed. your letter. I confess I was both surprised and annoyed, and I did not conceal the fact from Col. K. who expressed the deepest regret that either you or I should be annoyed, or that he had ever mentioned the paper to Genl. J., although he did not consider that he was interdicted from doing so by the terms upon which I allowed him to read it.

As one who, personally and politically, through all the changes of party policies, has ever adhered to you, and never so devotedly as in the ordeal through which you have passed since the hour of your inauguration as Presdt. of the Confederate States, I was keenly alive to every assault upon you, whether made openly or covertly. I had witnessed, with burning indignation, during the heat of the terrible conflict of arms, when our success hung wavering in the balance, the efforts of those whom I knew to be unfriendly to you, at heart, but were afraid to avow it, to make a fortress of Genl. J's supposed popularity with the army and the people, from which to hurl their poisoned arrows at you. I believed then, and I believe now, that some were actuated more by hostility to you than friendship for him.

I had so often heard his most zealous partizans,—whom I generally found to be your enemies, carping at his removal, demanding his restoration, as the only hope of success, in a well nigh lost cause, and half hinting that in removing him you were actuated rather by feelings of personal resentment than considerations of patriotism, that I could not restrain my feelings.

I yet trust that the time will come when there will be no consideration of public or private nature which will render the publication of the paper injudicious. When that time comes, you will stand vindicated in that, as in every public act of your life, about which you have been assailed, in the judgment of all impartial men. That conviction is as firmly fixed in my mind as that Almighty God will conduct you safely through the fiery ordeal which awaits you in your approaching trial.

Major Barksdale declined to furnish a copy (and he has the only one in the world) and I so wrote to Genl. J.

I am rejoiced to hear that you are once more on the soil of Missi. Shall we have the pleasure of seeing you in Jackson during your sojourn in the State? If so, may I beg the honor of having you and your family as my guests?

Sincerely, your friend,

T. J. Wharton.

J. M. Mason to Jefferson Davis.

(From Confederate Museum.)

Enclosure.[1]

Niagara, Canada.
April 22d, 1868.

My dear Sir,

I was very glad to receive last night yours of the 16th from Lennoxville—I had seen in the papers your arrival in Baltimore

[1] An adjourned session of the Circuit Court of the United States for the District of Virginia was commenced yesterday morning in the United States court-room. The Chief Justice entered the room at half-past eleven o'clock, and the court was opened. He said: "The first case on the docket is that of the United States against Jefferson Davis. Gentlemen, are you ready to proceed with the trial?"

"Governor" Wells, who represented the government in the absence of the District Attorney, said the counsel for the accused had retired for consultation, and would be ready to report something in a few moments.

Mr. Davis's counsel returned in a very short time, when Mr. Anderson, from Mississippi, said he held in his hand a paper containing a stipulation which had been arrived at by the leading counsel on either side of the case, Messrs. Evarts and O'Conor, to postpone the trial of the case until October next, when the case could be called, and such time given as might be necessary to give the defendant time to appear. He then read the following paper:

CIRCUIT COURT OF THE UNITED STATES FOR THE DISTRICT OF VA.:

The United States vs. Jefferson Davis.

This case will not be called for trial on the 3d day of June next, but counsel will then appear on behalf of the United States and also on behalf of the defendant, and an order will then be entered by consent in the form heretofore used in this case, giving the defendant time to appear until such day in the month of October next as may be agreeable to the court.

WILLIAM M. EVARTS,
Of Counsel for United States.
CHARLES O'CONOR,
Of Counsel for Defendant.

New York, May 28th, 1868.

Chief Justice—"Do you make a motion for a new trial on that paper? The case has been called; are you ready for trial independently of this stipulation?"

Mr. Wells said he had, within the last forty-eight hours, received information that the wife of the District Attorney was in a dying condition, and the case could not go on without him. Mr. Evarts, who stood more directly in the position of the representative of the government, was also absent, whilst the accused was in Canada, or somewhere else.

The Chief Justice said he understood, then, that the accused was not in the court.

Mr. Anderson said his absence was owing exclusively to the stipulation which he had read to the court.

Chief Justice—"In this case the court has ordered a continuance, on the motion that has been submitted, until the next November term of the court, unless your reason for applying for trial at an adjourned term is

from the South, and afterwards that you had left there for New York, en route to Canada—but I did not see your arrival in the Dominion, otherwise I should have written and taken the chance

given. Some doubt has been expressed in relation to the recognizance finding the prisoner to appear at this term. I will hear counsel on that point.''

Mr. Wells said that question arose at the last term of the court, and it was the opinion of counsel that the accused was bound by his recognizance to appear from day to day, and the case was fixed for the last day of the May term.

Chief Justice—''You are satisfied then with the recognizance? What is the wish of the counsel for the accused?''

Mr. Anderson said they had rather the case should be continued until the next term of the court, but as the counsel for the government had expressed a wish to have it earlier they would attempt to comply with their wishes.

The Chief Justice said this practically continued the case until the next term of the court. It would have been much more convenient for him to have tried the case last May a year ago. He was here to try it now, and could not tell what his engagements might be in other circuits in October. He would meet the wishes of counsel, however, and continue the case until the next term of the court.

Mr. Wells suggested that as the regular term of this court commenced on the last Monday in November and the Supreme Court met on the first Monday in December, his honor wouldn't have time to try this case.

Mr. Anderson insisted that the case be postponed until the regular term of the court.

The Chief Justice said the counsel for the accused had the right to insist on the continuance of the case until the next term of the court. If they wished to consult further on the matter the case could be left open until to-morrow morning.

Mr. Lyons asked the Chief Justice if he could be present at any day of the next term of the court?

The Chief Justice said his duties at the Supreme Court were paramount to those in any Circuit court. It would suit him better to be here before the meeting of the Supreme court. He could be here on the last Monday in November, but would be compelled to be in Washington on the first Monday in December, when the Supreme court convened.

The case was then continued until the next term of the court. The witnesses were called, and recognized in the sum of $5,000 each to appear at the next term of the court.

Mr. Wells asked whether the case was continued until the last of the present term, or the first day of the next?

The Chief Justice—''Until the first day of the next.''

Mr. Wells then asked what was to become of the recognizance of the prisoner.

The Chief Justice replied that his brother judge would attend at any day of the term, and renew the recognizance. The continuance could stand open, and the recognizance could be renewed.

The court then adjourned until 11 o'clock this morning.

General Robert E. Lee, General Samuel Cooper, Gen. Wm. F. H. Lee, ex-Governor Letcher and other distinguished gentlemen were present as witnesses, and were recognized to appear. The court-room was filled with spectators, and much interest was manifested in the proceedings.

Messrs. Anderson and Wharton, of Mississippi, and Messrs. Ould and Lyons, of this city, appeared as counsel for Mr. Davis, and Mr. Wells for the government.

of finding you—I had observed of course the finding of the new indictment and carefully read over the substance of the several courts, as they were published—and of which you give I suppose a correct synopsis—Those ignorant brutes who now govern affairs, act so strangely, to delude the mob at their heels, that it is impossible to know the object of their movements—In one thing only are they consistent—pertinacity in malice.

The real pinch is, and that which has led me always to believe they would never venture to try, that by no standard of law, could they make out the crime of *treason*—The complicated and muddy idea now put out, of conspiracy to resist the laws, or to levy war, does in no sense modify the rule of law—Before the Federal tribunals, I should have no reliance on a defence, resting on the construction of the Government, or the sovereignty of the States—however tenable in the minds of Jurists— The principle, which they can never get round, or get over, is, that whatever you did in wielding the Army, and whatever others did in counsel, were *acts of war*—immediately, and all the time recognized by a power competent in law, to conduct War, and entitling those bona fide so acting, to all immunities arising from Acts of War and then comes the co-relative principle, that for such acts the belligerent power is alone responsible, the individuals committing them, irresponsible— That the occasion was one of War, was recognized in the judgement of the Courts, including the Supreme Court—by the Executive, and by the Military, in consistent, uniform action, in every case presented—as well as by the unanimous declaration and acting, of every Power in Europe— The Chief Justice stands committed to hold the Court before his country, unless his presence is dispensed with by yourself and whatever my opinion of the man, or of his complication with party, yet he stands at the head of the Judiciary, is undoubtedly an able lawyer, and responsible for the character and reputation of the Department over which he presides—and I thus have relied, and yet rely, that on such a trial, with the world looking on, he cannot rule that to be law, which he knows, is *not* law— That he has shirked and evaded the Court at successive terms is undoubted, and could have had no reason to do so, but to *evade* this responsibility— Should they profess to be ready for trial in May, I trust that your counsel will, have reasoned as I do, and will insist on the presence of the Chief Justice as a right to say nothing of his committals, direct, and indirect, to preside, should the accused desire it— I have observed the proceedings in Congress in regard to the eligibility of jurors who had expressed opinions—a

measure in flagrant contempt of every principle of justice, known to criminal jurisprudence—but my impression is, that though the Bill passed the House it had not been finally acted on—the disgrace of Negro jurors, is the disgrace of the brutes, who force it on the South— Recurring again to Chase, I should have the more hope of him because of his present political attitude—whatever hopes he may have had of the Presidency, they are for the present at least extinguished, and he to that extent remitted to independence— I think too, his whole course whilst presiding on the impeachment, had shown him observant, and careful, of the dignities and duties of his position—manifestly independent of any party pressure— Bad as it all is, I am yet encouraged in the double aspect, first that there will be no trial —or if there be, that the Chief Justice dare not pronounce it treason—

In regard to the obligation on you to return to Richmond, I have never been able to understand what it is— According to the usual forms, the bail is discharged, when the party in custody has appeared pursuant to its obligation, and must then remain in Custody, unless new bail is given— It may be, that the first bail bond might be extended from term to term, with the *assent on record* of all parties to the bond, but no such procedure was reported—on the contrary it appeared only that you were allowed, "to depart, with leave of the Court," until a given day—something in the Nature of a parol—but I never heard of a *parol,* in the forms or usage of a Court—and I have thought, if the obligations of your bail were ended, and you held only on such a parol, I should be little disposed to regard it—but should look on it as an engagement to a ruffian, made under duress.

I am much gratified to learn that O'Conor remains attentive and diligent, in your behalf—the counsel at Richmond can fully supply sound views, connected with the locality—

And now my dear Sir, I can only say may the Almighty bless and preserve you, in these severe trials—earnestly as I should desire to be at your side in Richmond I am aware, that my presence there, would do harm—

We all continue well and much disappointed that you did not take us en route to Lower Canada—should things go as before, and you return for the summer to Canada, pray come this way— I shall keep my eye on all that passes, and will be prompt to communicate with your counsel should anything offer in which I may be useful— Please take this with you, and show it to Ran. Tucker—I do not know that it would be interesting to others—

Mrs. Mason, with my Daughters and son, beg to unite with me in sincere regards and best wishes to Mrs. Davis and yourself—whilst I remain, Most affectionately and truly yours,

(Signed) J. M. Mason.

Hon. Jefferson Davis.
(Copy of enclosure follows)

Samuel Brown to Jefferson Davis.

(From Confederate Memorial Hall.)

Lenoxville (Canada) May 14/68.

Hon. Sir,

I am desirous of making your acquaintance. Will you oblige me by giving a short interview this afternoon. I wish to consult you on a subject purely domestic.

Your Freind and well wisher,

Samuel Brown
of Weld Franklin Co.
Me.

Hon. Jefferson Davis.
P.S. Please answer by the bearer. S.B.
endorsed:
Saml. Brown to inquire of Spy Webster; ansd. in person.

J. M. Mason to Jefferson Davis.

(From Confederate Memorial Hall.)

Niagara—Canada.
June 13th, 1868.

My dear Sir,

You are not dead I take for granted, because I received today a letter from *DeLeon,* sent through, though without a word from you—thence I infer that you are nevertheless buried in Lennoyville— Knowing that you were summoned to Richmond for the 3d of this month, and inferring from your last letter that you were obliged to go, I had supposed you in Virginia, until I saw in the Richmond Enquirer the resumé of proceedings in Court there, of which I enclose the slip as it may not have met your eye— Assuming that you are at Lennoyville, I assume further, that you have not left it because relieved by agreement of counsel from appearing in Court— Now these things are not as they should be if you take no interest in imparting information of matters affecting yourself, I, even though with little encour-

agement, have great interest in receiving it—and you have this advantage too, that you can write, and I cannot—but I wont scold any more, hoping that you may improve.

What a miserable set of poltroons and cowards they are, and without one instinct that marks the gentleman—they dare not bring you to trial, and convening before the Mob, dare not release you—

But do let me hear from you, and of your plans and purposes— I see you are not *due* again until the fourth Monday in November— Why cant you come here and pay us a visit—we have a better house now, with ample grounds, and a room always conveniently at your command—and then too, we shall have for the summer, quite a large and attractive Confederate circle—Genl. John S. Preston of South Carolina is here with his whole family, to remain until Fall, and perhaps afterwards—a great resource to us, for they are excellent and most agreeable friends—*Breckenridge* with his family, were to sail for Quebec on the 4th inst, and I look for them here early next week and there are others from the South who are negociating for quarters—so you had better join us—If you are disposed to break up at Lennoyville, and unite your fortunes in Canada with ours, I can find you quarters here—but if not, I hope you will pay us a visit—

I have nothing to say of things passing in the South—we have but one hope, that bondage will become too vile at the North, for even the vile to bear, and an internecine War there may follow—then we may come to our own—

With kindest regards from Mrs. Mason and the young Ladies, to Mrs. Davis and your circle, Most truly my dear Sir,

Yours,

(Signed) J. M. Mason.

Jefferson Davis, Esqr.

(There is no clipping in file with this letter. The clipping mentioned is probably the one filed with the letter of April 22.)

Jefferson Davis to Howell Cobb.

(From Cobb Papers.)

Lennoxville, C. E. July 6th 1868.

Hon. Howell Cobb,

My dear Sir,

The proceedings against me having left a longer interval in which to cast about for some employment by which to support

myself and family, I have decided to go to Liverpool to see what may be done in establishing a commission house, especially for cotton and tobacco. An English man of very high character and social position who has been extensively engaged in the India trade as a commission merchant has proposed to me a partnership under the belief that I could obtain assurance of the shipments of the staple of our own country, with such assurance I would be willing to attempt a new pursuit confident that if the business was strictly that of commissions my friends would incur no risk, and I might hope for an increasing income. I write to you to inquire what may be expected in regard to shipments by your friends and neighbors.

I expect to leave here on or before the 20th inst. and to take passage the 25th from Quebec, consequently your answer would not reach me at the latter place later than the 24.

Mrs. Davis is my amanuensis, as I had the misfortune to fall and break two of my ribs ten days ago, and am quite feeble from the effects of the fall.

With kind regards to Mrs. Cobb and the family, believe me

Very sincerely
Your friend,
JEFFN. DAVIS.

(Postscript from Mrs. Davis.)

P.S. Dear Burrow, I trust at last that we see our way clear if the guarantees of cotton to be sent reach us before we go to Liverpool, or soon after our arrival there, to be raised above the wretched sense of idle dependence which has so galled us. Unless Mr. Davis has a certain amount promised by reliable men, of course he can predicate no arrangements for the future upon the cotton to be sent. Disappointment will be bitter enough if it comes at the first, but much more so when another person is involved in our failure; therefore I beg that you will write us plainly what has been your success in trying to get promises of cotton. I am sorry to say that Mr. Davis' health has not improved, he looks wretchedly, and I think much of his indisposition is induced by his despair of getting some employment which will enable him to educate our children. There were many things in our visit to the South which convinces me that for a year or more, until at least civil law prevails, Mr. Davis could not quietly remain there. Then if it should please God that we should ever meet I will tell you. Until then I shall as ever remain, Yours affectionately, V. DAVIS.

James Smith to Jefferson Davis.

(From Confederate Museum.)

84 St. Vincent Crescent,
Glasgow.
Aug. 7th, 1868.

Dear Sir

Referring to our short interview yesterday. Should you have the leisure and inclination for a few days trip to Scotland to see some of its interesting and historical scenery and some of *your friends* it will cost you nothing for either yourself or family and Mrs. Smith and other ladies as well as our young people will only be too anxious to make things as agreeable as possible to Mrs. Davis and your children.

We tender you a Mississippi welcome, the "Latchstring is on the outside," the weather too still holds good and I think you would be pleased with the change.

Yours Respectfully
(Signed) JAMES SMITH.

Hon. Jeff Davis
Adelphi Hotel
Liverpool

Jefferson Davis to A. J. Beresford Hope.

(From New York Historical Society.)

Liverpool
8th Aug. 1868.

My dear sir,

Your very kind letter of the 6th Inst. has added to the happiness given by the welcome of others on my arrival in England. The desire to see and be personally known to yourself and Lady Mildred has been long cherished and I regret that for the present my movements are so contingent that it is not possible for me to answer your kind invitation by naming the day when you may expect me to arrive. Our friend the Hon. Mr. Mason speaks of you often and most affectionately. At one (time) I hoped he would come over with me, and it is probably due to the same accident which prevented me from seeing him that his failure to do so, is to be attributed.

Mrs. Davis joins me in assurance of respectful regard and

grateful acknowledgements to Lady Mildred and yourself and I have the honor to be very truly your's

etc etc etc
JEFFERSON DAVIS.

Hon. A. J. B. Beresford Hope.
Edgebury Park.

Jefferson Davis to A. J. Beresford Hope.

(From New York Historical Society.)

Liverpool
20th Aug 1868.

My dear Sir,

I have just returned from North Wales and have received your's of the 14th Inst. It is a source of sincere gratification to me to receive such evidence of cordial welcome. I did not in my former letter state a time when I might hope to visit you, because some arrangements which it was necessary to make, rendered it doubtful whether it would be in my power to avail myself of your invitation.

If it should be practicable to visit you before the date of your proposed departure I shall not fail to do so and will write again.

Mrs. Davis returns her thanks to Lady Mildred and yourself for your kind consideration and joins me in tendering the most respectful regard.

Believe me to be very truly your's
JEFFERSON DAVIS.

Hon. A. J. B. Beresford Hope
Edgebury Park

John Dillon to Jefferson Davis.

(From Confederate Museum.)

K 5 Albany,
Piccadilly, London.
21 Augt. 1868.

My dear Sir:

Some few days ago I received the enclosed letters from our friend Mr. Wm. B. Reed.

I have only just ascertained your address from Mr. Bayard, or I should have forwarded them before. I saw by the papers

that you had landed at Liverpool and presumed that you were coming here at once.

I trust that I may still be in town when you visit London and I need hardly say that it will afford me great pleasure to be of any possible service to you.

May I request you to present my compliments to Mrs. Davis and to believe me to be, my dear Sir,

Very sincerely yours,
(Signed) JOHN DILLON.

Hon. Jefferson Davis.

J. P. Benjamin to Jefferson Davis.

(From Confederate Museum.)

Liverpool,
Dec. 20, 1868.

My dear friend:

Yours of the 18th reached me this morning, and I have devoted some hours to the consideration of its contents. I have as you will see, suggested some modifications for your consideration, if you decide on publication, but I much fear that such a step would be injudicious, and I must venture to give you my reasons for dissuading you from it, derived chiefly from an experience of three years spent in that close observation of men and things in England which has been indispensable to one who is driven to seek a livelihood in a new land.

So far as regards the statement about the "mean whites" the author is but a repeater of what has been so persistently repeated by the northern letter writers in all the English journals for a series of years, that it is as vain to oppose a refutation as it would be to make people here believe that the Southern planters treated their slaves humanely, and your testimony on the point would be regarded as that of a witness honest, but misguided by education and prejudice to such an extent as to render his evidence untrustworthy—Besides I cannot see that on such a point alone, you would deem it a duty to enter into a newspaper controversy, such as would inevitably ensue on the publication of your letter.

But this (is) a very secondary consideration. I feel convinced that any statement from you in relation to the Mississippi debt would involve consequences deplorable to your repose and tranquil existence in this country. I have had a dozen arguments

and discussions on that subject in England. People will not listen to reason on the subject. They cannot understand our constitutional theories. Parliament is omnipotent and they have but one answer, "If our Parliament passes a law to issue bonds, and the bonds are issued, no one is bound to enquire further." "If the Chancellor of the Exchequer signs a bond, no man is bound to enquire into his authority. The Mississippi bonds were signed and sealed in the name of the State. Foreigners had a right to consider the faith of the State as pledged, and if the Legislature or the Governor or Secretary of State did wrong, the people of the State ought to have made them responsible, and not to have punished innocent third holders of the bonds." It is impossible to shake them from this position, and they are utterly unable to appreciate the adverse theory. The effect of your statement will be to provoke an outburst of unfavorable comment from every press in the land, and you will be represented by every newspaper favorable to the North (and that comprises *almost the whole press*) as avowing that you agreed with those who sought to impose on foreigners the burthen of losses incurred by Mississippi through the misconduct of her own officials. The holders of the bonds will urge on the clamor to the utmost, inspired by the hope that the same sensibility which induces your statement will operate in the State and induce a settlement of the bonds, and they will re-open the now dormant question from motives of self-interest, independently even of the mere antagonism of principles. In a word, I see as clearly as if it had already occurred, that you will do rather an injury than a service either to the State or to yourself in giving rise to a renewed agitation of a subject on which Englishmen are absolutely unanimous—and this unanimity is not to be wondered at, when we remember how very large a portion of the best men in the State took the same view of the question in opposition to their own interests as tax payers. Leaving that consideration however out of view, it can scarcely be expedient in your position to run counter to the universal feeling of the people among whom you are sojourning unless the call of duty be so imperative as to admit of no doubt or question, and I cannot think that this is such a case. If you publish the statement you will find it impossible to remain silent under the replies, and your existence here will be empoisoned by the necessity of engaging in a newspaper warfare at every disadvantage against hosts of unscrupulous enemies. The book you notice, I never heard mentioned and it will drop still-born into oblivion unless advertised by your notice of it.

The fates seem to be against our meeting for any length of time. I leave here for Paris to spend Christmas with my family, but will be back in London on 2d and 3d January, to remain there until the March assizes begin. With best regards and memories to Mrs. Davis, believe me,

Ever truly yours,
(Signed) J. P. Benjamin.

Jefferson Davis to Editor of the Standard.

(From Confederate Museum.)

Leamington, Warwickshire.
December, 1868.

To the Editor of the Standard,
Sir:

My attention has been drawn to a passage in a recently published book entitled "Last Winter in the United States" by F. Barham Zincke, vicar of Wherstead and Chaplain in Ordinary to the Queen.

For the purpose of remark the writer groups together the three states of South Carolina, Louisiana and Mississippi and after describing the devastation and consequent misery found in the two first he proceeds to describe the last named state, and to refer to myself specifically in a passage so full of bad feeling and so devoid of truth that I deem an exposure of his mistatements a duty which I hope you will allow me through your columns to perform.

On page 98 is to be found the following paragraph: "As far as I could see and hear, the state of Mississippi also was in a very bad way. This seemed to arise from two causes. A larger proportion of the white inhabitants than is the case elsewhere belong to the class called in the south 'mean whites,' that is persons without property, education or enterprize. And then the planters are unable to borrow what is requisite for enabling them to work their plantation. No one will lend them a cent. This is but a natural consequence of the act of repudiation they adopted at the instigation of Mr. J. Davis, late President of the Southern Confederacy, and whom this State has either the honor or the dishonor of reckoning among her best known men."

The opportunity of the author to "see" the state of Missi. appears to have been that of a passenger on the Rail Road from New Orleans, Louisiana to Memphis, Tennessee, and the character of those it was his fortune to "hear" is suggested by the vulgar phrase he quotes—"mean whites"—and which as defined

and applied is equally disparaging and unfounded. If he disregarded the injunction to "judge not" and was unwilling to stop in a country he seems to have held as tabooed, he might on reference to the published census of 1860 have learned by the absence of pauperism, the general distribution of property, the relation of the number of white population to the aggregate wealth and the value of the annual exports of the State, that there could not be a large proportion of the white inhabitants "without property, education or enterprize." So much for his first cause.

The second assumed cause is as entire and even a more wicked misrepresentation than the first. That to which he must refer as an "act of repudiation" by Mississippi, occurred more than a quarter of a century ago. It arose out of a question as to the validity of certain bonds issued by the state Government, not involving the personal credit of the planters of that day or at any subsequent time, and it would have been easy for the author when in New Orleans or Memphis—he stopped at both places—to learn that the destruction by the War and the disorganization of the labor of the country with the consequent failure of crops, were the real and only causes of the inability of the Banks to discount, the Factors to advance, and the Planters to borrow, to the extent requisite for rehabilitating the wasted Plantations. The year before the author's visit, the Factors of New Orleans had advanced so freely to the Planters of Missi. and both parties had suffered such disappointment from the failure of the anticipated crops, that the Factors generally confessed themselves unable, *not unwilling,* to lend more for the ensuing year. In the many years which had followed that public act to which the Revd. writer assigns the discredit of the Missi. Planters, described by him as such that "no one will lend them a cent," the custom among them of anticipating the growing crop had been very common and the ability to do so was nearly if not entirely universal. Therefore the theory of the author's second cause is purely imaginary and destitute of basis as the "mean white" assertion has been shown.

More than eighteen years since, I published a defence of Mississippi against the accusation that she had repudiated a debt due by the state. I then showed that no action had been taken by the state to discredit any claim made against her, except that for the "Union Bank bonds" as they were denominated, and that in that case the only question entertained by a majority of the People, was whether those particular bonds did, or under the specific provision of the organic law of the state,

could constitute a valid obligation, or in other words be a public debt, for the payment of which a tax could be constitutionally imposed. The honor of the State was and is dear to me beyond expression, and I endeavored to repel what I held and hold to be a slanderous charge against her good faith. To me personally no one had then been brazen enough to impute the doctrine of repudiation as to public debts, or of failure to meet every private obligation. It was not until during the late war between the States of America that I was represented as the leader in the so called repudiation of Mississippi. The motive of the falsification was supposed to be a wish to injure the credit of the Confederate States in the markets of Europe. A friend who knew the facts, generally and who was then in this country denounced the libel at the time.

At a subsequent date a book published in New York renewed the accusation against me; when it reached the section where all the facts were known, a friend who was intimately acquainted with both my public and private life, refuted the calumny in a letter published in Mississippi and in Louisiana, wherein it was shown that not only was the charge untrue but that the truth was exactly and notoriously the reverse of the charge.

And now, though it is disagreeable to tell one's own story I am impelled by this reiteration of the slander to depart from my practice in such cases by stating publicly the extent of my connection with that question and thus testing the ability of truth to arrest the flight of falsehood.

The bonds concerning which the action referred to was taken had been issued, sold, the sale denounced by the Executive of the State as invalid, the money received for the bonds had been lost and the people had divided into parties on the questions growing out of the transaction, before I had the least connection with the politics of the state. Those events occurred soon after my return to Missi. from a distant service, and from an absence which commenced in my boyhood. In a land where immigration was great and emigration not small, this was to be a stranger.

In 1843 my participation in political struggles began. I was then invited to take the place of a candidate for the Legislature who withdrew one week before the election was to occur. My position on the Bond question which was then one of party division, was that a State Government might incur a debt if the transaction was not in opposition to the organic law, and that the people were subject to taxation for the payment of such a debt; but that the Government was limited and could not bind the people by any act which violated the Constitution. That in

the case of a Govt. as of an individual the only open question was that of debt or no debt. Suffice it to say that I was not elected, and never held within the state any office Executive, Judicial or Legislative, and that the many honors bestowed upon me by the State and the people were independent of any question of internal taxation, and served the rather to separate me from the local politics of the State.

Some years after the brief canvas referred to, say in 1849 and when it was regarded as a settled fact that the Bonds issued in the name of Mississippi, and known as the Union Bank bonds, would never be recognized as a legal obligation, and therefore could never be paid by taxation; I, being at the time a Senator in the Congress of the United States, obtained for a family connection such letters as would best accredit him in an effort to make an arrangement in London with the holders of those bonds, by which we hoped they would in great part, if not wholly, be redeemed by voluntary subscription of individuals. Why the proposition was rejected it is needless to discuss, my purpose in referring to it being to show that when the question had passed out of public notice, I was engaged in an effort quietly to attain an diametrically opposite to that falsely imputed to me. It was not that the state was legally bound, but a belief that the sensibility which springs from devoted affection that prompted the effort to get rid of the clamor by which her fair fame was assailed. The hope that the exposition herein made may remove some of the false impressions which have been created against the people ever so gratefully remembered by me, has overcome the reluctance to appeal to the public in my own defence, and is offered in extenuation of the egotism not easily to be avoided in a statement like this. (Signed) JEFFERSON DAVIS.

Jefferson Davis to Geo. N. Sanders.[1]

(From Manuscripts Division, Library of Congress.)

Wednesday
30th June 1869

My dear Sir,

I have been for a great part of the day busily engaged in the City and feel too much fatigued to visit you, and confer with

[1] Sanders, George N., early in the Civil War Sanders applied for permission to establish a line of communications for sending out and bringing in despatches with regard to European business. He was apparently not commissioned on that footing, but in 1862 was acting as agent of the Confederate government for the delivery of foreign dispatches.

In 1863 his son, Reid Sanders, was captured while attempting to leave

you in regard to your proposed letter to the Marquis of Salisbury. As you inform me that you wish to send your communication to him this evening, I write to say that I have no personal acquaintance with the Marquis, but being in somewhat close relations with some of his family would prefer that you should not mention my name in your letter to him. You will understand that this is from no reluctance to serve you if I could, but the rather to guard against any inquiries being propounded to me in regard to your project about a city in Nova Scotia, which could elicit from me the acknowledgement of my total ignorance concerning its merits.

Very respectfully & truly
Your's
JEFFERSON DAVIS

Geo. N. Sanders Esq^r.
1. Nottingham Place
London W.

Jefferson Davis to A. J. Beresford Hope.

(From New York Historical Society.)

18 Upper Gloster Place
Dorset Square,
3d July 1869

Hon: J. B. Beresford Hope,
My dear Sir,

I have been very unfortunate in my efforts to find you at home, which perhaps it may be permitted to me to state arises from a fear of calling before or after the conventional visiting hours, and those being the same which are devoted to your duties in the Parliament.

Yesterday I was pained to hear that Lady Mildred was quite ill, will you allow to ask how she is to-day, to express my cordial sympathy in her suffering.

I have been myself affected so as to limit my outgoings more than heretofore, but have hopes from the recent change to drier and warmer weather.

You were good enough to introduce me to Lord and Lady

Charleston, S. C., with despatches. Recommendation was then made by Mr. Mason that the agency of George N. Sanders be terminated. The business was then placed in care of L. Heyleger at Nassau or was transmitted via Bermuda. In 1864 George N. Sanders was in negotiation with Clay and Holcombe in Canada relative to his proposal to go to Washington on a peace mission. Consult, Callahan, Diplomatic History of the Southern Confederacy, Baltimore, 1901.

Lothian, and I have since received a very courteous note from Lady Lothian, but did not learn from it the address to which an answer might be sent, she having left London. Will you give it to me?

A recent letter from a friend in Warrenton, Virginia, mentions the fact of our friend Mason's presence there, and added that if he could get a house in that place he would make it his future residence. His former home is in a district to which there has been a large influx of Yankees, and to him I suppose there are two places in the world, one where the Yankee is and the other where he is not. Please present my sincere regard to Lady Mildred and the Misses Hope, if they have returned to town, and believe me very truly

Your's
JEFFERSON DAVIS

A. J. B. B. Hope to Jefferson Davis.

(From Confederate Museum.)

Bedgebury Park,
Cranbrook.

Address:
Connaught Place.
July 18, 1869.

My dear Mr. Davis:

I am glad to say we now find that we shall be able to receive our friends on the 4th of August—May we look to the great pleasure of seeing you and Mrs. Davis and Miss Howell (with those of your family who are with you) on that day, or as soon after as you can come?

We shall have to leave home for a few days on Augt. 16—but hope you can stop till then.

Lady Mildred is just starting to see her sister (who is out of health in Scotland) but returns at the beginning of August. I have to go back to town and finish my parliamentary work—

With Lady Mildred's kindest regards—and my —— to Mrs. Davis and Miss Howell

Believe me yours very truly

(Signed) A. J. BERESFORD HOPE.

The Hon. Jefferson Davis.

Jefferson Davis to A. J. Beresford Hope.

(From New York Historical Society.)

18 Upper Gloster Place
Dorset Square
20th July 1869

My dear Sir,

Many thanks for your kind note from Bidgebury. I am glad to know that Lady Mildred is better and hope her trip to Scotland will be of benefit to her health.

I have arranged to go to Glasgow, leaving here on the Saturday Steamer, for Edinburgh. My absence from London will probably extend beyond the time at which you were so good as to invite us to your country home.

I shall endeavor to see you before I leave London and hoping that your parliamentary labors may have a successful close I am very truly

Your friend
JEFFERSON DAVIS

Hon: Beresford Hope
M. P.

R. W. Graham to Jefferson Davis.

(From Confederate Museum.)

31 Sackville Street,
Piccadilly.
London. Aug. 2, 1869.

Sir:

I beg to call your attention to the enclosed paragraph taken from the Standard of this date. If it meets with your views please commend me in giving it effect with my friends and relatives in Kentucky. I am, Sir,

Your obedient servant,
(Signed) GRAHAM.

To Mr. President Davis,
18 Upper Gloucester Place,
Portman Square.

Copy of clipping follows:

An attempt is making in Bourbon County, Kentucky, to raise a fund for the purchase of a home for Jefferson Davis in that his native state. A gentleman of Louisville has offered, if 50,000 dollars or more shall be subscribed to the fund, to give a splendid building site for a house, with ten acres attached, within four miles of Louisville.

R. W. Graham to Jefferson Davis.

(From Confederate Museum.)

31 Sackville St. Sept 13, 1869.

Sir:

I beg to acknowledge the receipt of your favour dated 11th Liverpool, and would call on you today, but I am in the hands of my M. D. and do not feel at liberty to go out.

I, however premise the objections in your note to a certain extent can be set aside and the difficulties obviated. If you will do me the honor to call at your earliest convenience it will give me pleasure to state my views and to discuss the matter with you,

I am Sir,
Your obedient servant,
(Signed) R. W. GRAHAM.

Hon. Jefferson Davis,
18 Upper Gloucester Place,
Dorset Square.

31 Sackville St. Sept 15, 1869.

Sir:

I walked over to the St. James to get a cup of Tea. On my return I found your note which informed me of your visit. I need not tell you that I was exceedingly sorry to have been absent.

With your kind permission I will venture to call this evening at about 5 o'clock. I am, Sir,

Your obedient servant,
(Signed) R. W. GRAHAM.

Hon. Jefferson Davis,
18 Upper Gloucester Place,
Dorset Square.

Jefferson Davis to A. J. Beresford Hope.

(From New York Historical Society.)

18 Upper Gloster Place
Dorset Square, London.
17th Sept. 1869

My dear Mr. Hope,

I write to inquire whether you will be at home next week and if it will be convenient to receive me at that time. It is my purpose to sail from South-Hampton for Baltimore on the 25th Inst. and if it be possible to do so I wish to visit you that I may take leave of yourself and family before leaving England for an indefinite period.

Should the opportunity not be afforded of doing so in person allow me in this manner to express my grateful recognition of the kindness received from Lady Mildred, yourself and your Daughters and to assure you how truly I am your friend

JEFFERSON DAVIS

Hon: A. J. B. Beresford Hope
Edgebury Park.

A. Dudley Mann[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

17 Boulevard de la Madeleine.
Paris, September 18, 1869.

My Ever Dear Friend:—

I have received no reliable information of your movements since you left Scotland, and as I understand that your family

[1] Mann, Ambrose Dudley (1801-1889), diplomatist, was born at Hanover Court House, Va., April 26, 1801, was a cadet at West Point, but resigned to study law. He was appointed consul to Bremen in 1842, and in 1845 negotiated commercial treaties with several of the German States. In 1847 he was accredited to all the German States, except Prussia, for the same purpose, and became commissioner to Hungary in 1849. He was minister to Switzerland in 1850, and negotiated a reciprocity treaty there. On returning home he became Assistant Secretary of State, serving until 1856. Being an expert in commercial matters, he was sent to Europe by the Confederate government as consul to Liverpool, and on a special mission, in which he was subsequently joined by John Slidell and James M. Mason. After the civil war he resided in France, and died in Paris, November 20, 1889. He left a volume of "Memoirs" in manuscript. In 1845 he published at Bremen a work descriptive of the United States (in German), 326 pp., containing a life of Washington. His report on Hungary was reprinted in 1918, by request of Senator Lodge.

left London several weeks ago, I am not certain that this will find you at Upper Gloucester Place. I will, however, so address it, in the expectation that in case you have departed, it will follow you to your present place of sojourn.

I was delighted with the accounts furnished by the newspapers of your enthusiastic reception at Glasgow, and elsewhere; and I trust that your tour was, in all respects, agreeable, and that you returned in improved if not entirely restored health.

It is reported here that you are to embark, with your family, for Baltimore on the 24th of October. I am most desirous to know if this is your intention. If it be I fear that I shall be deprived of the pleasure of seeing you all again,—or rather, Mrs. Davis, Miss Maggie and yourself, for it has not been my good fortune to meet your two fine sons and your little pet daughter.

I have a vast number of *last words* to say to you—too many for expression in a letter like this. But I cannot refrain from the utterance of my ardent wish that you will, at your earliest convenience, prepare your *Book*. This is a requisition which the world of enlightened mankind makes upon you. And, if you will permit me, I will add that it is due to the truthful history of our times, and to a more enlarged understanding of your own honest, virtuous fame.

I wish, indeed, that there was something worthy of you to go to in America; but in my belief, there is nothing, absolutely nothing,—especialy as far as will (one word illegible—be . . . able) government. May your noble soul, which has borne so much, be equal to the wrathful tormentings of the merciless North.

Pray write to me, as soon as your leisure will permit, and inform me as far as you can, of your plans; in which I take the deepest interest. Your last created a slight hope that I might have the joy of seeing you here again. For some time I have ceased to indulge it.

My son and his wife are here; they embark on the 8th of next month, at Brest, for New-York. He is devoted to his profession, and thinks he will be successful at the Savannah Bar. They both join me in affectionate regards to you and yours.

Ever yours with all my heart,

A. Dudley Mann.

endorsed: A. D. Mann; ansd. 20th Sept. 1869.

Robert E. Lee to R. S. McCulloh.[1]

(From Mississippi Department of Archives and History.)

Lexington Va. 28 Sept 1869.

My dear Colonel

Your wishes as expressed in your letter of the 9th Inst. respecting the students who may wish to study the general or elementary course of Physics have been anticipated. A roll has been made of them by Col. Allan & they have been admitted into Mr. Campbells Class. Many of them however took the course last session, & it was not thought necessary to oblige them to review it, though I have no doubt it would be advantageous to some. I requested Col. Allan to mark out for them a course of study so as to occupy them & keep them together. If you have any suggestions to make to him, as regards the objects you wish them to attend to, he will follow them.

I am sorry that you should be delayed in your business from the season of vacation in the different schools, but wish you to exercise your judgement on protracting your stay, according to the probable good you may accomplish. Less injury will result, from a delay of a few weeks in commencing your classes, than in losing the benefits of your mission. I am very glad that you have been received with so much cordiality & that such facility for the accomplishing of your mission has been extended to you. You must present the thanks of the Faculty & Trustees of the College to the gentlemen who have assisted you, & especially to Mr. Michel Chevalier & Mr. Schneider the President of the Corps legislatif for the warm interest they have taken in promoting your work.

I am very much obliged for the kind sentiments felt for the South & the sympathy extended to our people. Every brave people who considered their rights attacked & their Constitutional liberties invaded, would have done as we did. Our conduct was not caused by any insurrectionary spirit nor can it be termed rebellion, for our construction of the Constitution under which we lived & acted was the same from its adoption, & for 80 years we had been taught & educated by the founders of the Republic & their written declarations which controlled our consciences & actions. The epithets that have been heaped upon us of "Rebels" & "traitors" have no just meaning, nor are

[1] This heretofore unpublished letter gives Genl. Lee's opinion as to the action of the South in withdrawing from the Union when they considered their constitutional rights invaded.

they believed in by those who understand the subject even at the North.

I do not intend however to inflict upon you a political disquisition, who are happily removed from the effects of what we suffer, & shall permit you to enjoy the freedom from the annoyances from which you are separated. I think I shall be obliged myself to get relief in some way, & long for quiet & such retirement as my condition requires. I have continued in my present position & in public life longer than I intended, & believe that it is time for me to seek the repose now so congenial to my feelings. We are all in the enjoyment of our usual health & the college is in full operation. All unite with me in regards & well wishes for yourself & the success of your work. I saw Miss Grace in church yesterday who looked very well. In the hope that you will be restored to us in health & happiness

I am most truly yr's
R E Lee

Col. R. S. McCulloh

Jefferson Davis to Thomas C. Reynolds.

(From New York Historical Society.)

Recd 15 Jany.

Memphis Tenn.
15th Jany 1870.

My dear Sir

I had the pleasure to hear from Col. Polk of your welfare and prosperity for which I am thankful. After all you have borne it is gratifying to know that you are yet able to labor and can look forward to the accumulation of another fortune.

The slip you enclosed being a notice of Pollard by the Editor of the St Louis Republican, is like several which have been sent to me, cut from Eastern papers. I never knew the creature personally and only heard of him as a malignant who kept out of service by the exemption which covered an associate Editor. So his false statements in regard to me individually may have the palliation of ignorance.

When I left England my expectations were so indefinite that it was deemed best to leave my children at school where they were doing well & my wife to supervise them, until I could provide a home at which to place them. I am, therefore, alone

and connected with an Insurance Company at this place which fixes my stay here for an indefinite period. Should business or inclination lead you to the lower Missi. I hope you will stop here and let me see you.

Please present me in kindest terms to Mrs. Reynolds and believe me faithfully your's

JEFFERSON DAVIS.

Hon. Thos. C. Reynolds
Saint Louis.

Endorsed:

Jeff. Davis, Memphis 13 Jany, 1870
Recd St Louis Mo. 15 Jany.

Personal news, and enclosing P. S. "private" about seeing Gen. Harney about denying a slander on Mr. D. published in the Milwaukee Sentinel 8 Nov. 69

Ansd. Jany. 17th
Interview with Gen Harney, Saturday 18 June '70, and left with him the enclosed newspaper cutting: also Thursday 23d & Friday 24th—
See letter to Mr. Davis of 25 June 1870. & 27th.

A. Dudley Mann to Jefferson Davis.

(From Confederate Memorial Hall.)

17 Boulevard de la Madeleine,
Paris, March 2, 1870

My Ever Dear Friend:—

Colonel Swingler of Memphis is about to proceed to his home and kindly proposes to bear this to you. I embrace his offer, the more thankfully, because, as far as concerns my correspondence with *yourself*, I am without confidence in the integrity of the Federal Post-Office Department.

Of your improved health I had already received the gratifying intelligence at the time of the arrival of your last dear favor; but I found a joyous confirmation of the fact in the Photograph which you were so mindfully obliging as to convey to me. I pray that its restoration will be complete and durable.

I had fondly indulged in the hope of a different pursuit for you than that in which you are engaged. I wished to see you so

situated that you would benefit humankind by your rare wisdom and your general knowledge. Strange, strange indeed, are the ways of earth when such a "Light" as yours is concealed under a "bushel"! While the thought grieves me I, nevertheless, admire your philosophy all the more. True greatness never manifests itself more nobly than in conforming with resignation to its attendant requirements. There is glory in graceful acquiescence to an imperative necessity, as there is honor in resolute resistance to wrong. Of the beauties of soul, elevated purity of character will ever esteem you as a striking illustration.

My thoughts still linger, and with increasing interest, around the homes of the faithful sons and daughters of the South. Often in the stillness of the night, in my little chamber, do I fancy that I can behold, in the not far distant future, a high destiny for their native land:— when the States over which you presided will again be States to all intents and purposes—when with judicious laws, honestly administered, they will be examples for the emulation of those of the North—when through their influence the Constitution will be restored and the Federal Government confined to its legitimate sphere. The more I reflect upon the subject the more am I persuaded that they have the *power* if they have the *will* for such a consummation.

The first sure step to take in that direction,—a difficult one, perhaps, is for all true patriots to commence, with an invincible determination, to wean themselves from *Federal* attractions and to resist *Federal* temptations—to consider *Federal* office as disreputable and the *Federal* capitol as the abode of murderers and robbers, whose chief object in legislation is to legalize their guilt and secure themselves from condign punishment.

As the *Federal* government, in its desperation forced Black *political* equality upon the South, the South in return should force Black political and *social* equality upon the administrators of the *Federal* government. Let Negroes be sent, exclusively by her to both branches of Congress and enjoy every Federal office within her limits. Let the White citizens, thereof, solemnly resolve, in that patriotic spirit by which they were actuated during our struggle, to view every *Federal* place of trust or profit, as too much dishonored for their acceptance. Let not a solitary State position be conferred upon a Negro. In a word let the Federal Union under the operations of its own monstrous deeds be brought into such palpable disgrace, in its own esteem, that it will have no alternative but to return to the original Compact.

With what pleasure I look back to those incessant demonstra-

tions of State pride which I beheld in Virginia and Kentucky in my juvenile years. The revered designation of *Commonwealth,* in each, was then a practical reality. The principle which actuated their respective citizens was: Nothing for the Union that is not imposed by duty: Everything for the *Commonwealth* with a joyous good will. "There was that virtue once in Rome," says Cicero, "that a wicked citizen was held as the most deadly enemy of the Commonwealth." This virtue there was also once in the Southern States; and, although since their prostration it has ceased to strikingly manifest itself, I am delighted in your assurance that it is not extinct. Thus I am the more encouraged to believe that there is a glorious stand-point around which devoted patriotism may yet rally. *Sink the Union—raise the States,* it seems to me, now that despotic reconstruction has been perfected by the Federal arm, should be the predominating idea of every faithful lover of our late cause,—the cause of right, of justice, and of truth;—the cause that may, indeed must, ultimately prevail upon the North American Continent if the integrity of our people is equal to their duty,—the cause, which with its attendant benign attributes, is the cause of the Most High. And let us hope and trust that He is swiftly to come to its aid, in inspirations to our countrymen, and that He will henceforth defend and sustain it from His Throne of Thrones.

I shall be down with my work by the first of April to the period when you summoned me to Montgomery. How much I wish I could write from *that date* under your supervision, or at least with the benefit of your free criticisms. This portion will constitute of itself a volume, and without any effort of display, or fine phrases, I am anxious to make it the *chef d'oeuvre* of my life. A kind Heaven has blessed me for many months with comparatively good health; and I trust that it will be continued until I am through. Then, my "House will be in order," I hope, and I shall not be reluctant to meet the *final requirement* whenever it shall be made.

From Mrs. Davis I have had no recent letters. I have written frequently to her, but invariably with the request that she would not trouble herself to reply unless she had something of interest, personal to herself, or to children, to communicate. I regard it as certain, in the absence of intelligence to the contrary, that they are all well and passing their time agreeably.

Mr. Slidell comes frequently to see me—always complaining of his throat and a severe cold. Mrs. S. is also a sufferer,—bodily, and I fear slightly mentally on account of over anxiety

for the pecuniary future of her children. They send much love to you.—Mr. Corber (?) and his son are in Georgia.— Mr. Lucas (?) is in the country, but I receive frequent visits from him.— You have an ardent friend in Doctor Acosta, who rejoiced to hear of the improvement in your health. It would gratify him, above all things, if you would enclose to me a Photograph for him, accompanied by a line or two of friendly words.

There is again a war speck upon the horizon of Europe. Prussia wishes to embrace, within her bounds, Bavaria. France and Austria are in condition to resist. If Prussia persists hostilities are certain, and her consequent chastisement probable. I desire her humiliation, for her arrogance is only surpassed by that of the Federal Union.

The Prince Imperial reached his majority yesterday;—he is fourteen years of age. The secret springs to all the liberal tendencies of the Emperor are undoubtedly occasioned by the desire to popularize his son. He is endeavoring to prepare the public mind for the acceptance of him as his successor, and if he does succeed in so doing, as much as he loves power, he will immediately abdicate. With a responsible Ministry which he has created expressly with a view to this object, he is striving to create the impression that the Prince is as competent as himself for the throne; and if he can have him proclaimed, he would guide him by his counsels during the remainder of his days. He had no confidence in the Regency of the Empress. But there are many difficulties yet to overcome. The charm that was once in that name—Napoleon—is well-nigh dissolved.

Pray write to me, my dearest of friends, when you can snatch sufficient leisure from your engagements. You know not what joy your letters afford me. Tell me of your venerable brother. Does he still live and give you occasionally the pleasure of his society?

As Ever, Yours with the most devoted affection,

A. Dudley Mann

P. S. I sent you a few days ago "*L'Histoire.*" Did it arrive? I have written so hurriedly that I beg you to excuse the erasures and interlineations. In fact I am almost ashamed of this slovenly letter, but I have not time to re-copy. Everette (?) is most thankful for and proud of your kind message. Lammott (?), by the law of his nature is silent, but not the less grateful for your remembrance.

Braxton Bragg[1] *to Jefferson Davis.*

(From Confederate Museum.)

New Orleans, 9 March, 1870.

My dear Sir:

Mr. Mitchell's note, left at my office Saturday evening, was sent up and found me in bed, unable to meet you on the Boat.

For several days I had been suffering, and on Saturday had over exerted myself.

A sharp application of the Surgeon's knife on Sunday has relieved me, and I am out again.

I regret not having seen you and beg you will command me in any and every way.

Very truly,

(Signed) Braxton Bragg.

Charles Wright to Jefferson Davis.

(From Confederate Memorial Hall.)

Troy, Obion Co. Tennessee, March 18, 1870

Hon. Jefferson Davis,

33 Camp Strt., New Orleans, La.

Dear Sir,

I am in receipt of your very kind letter of the 12th instant, and have written Dr. Jones informing him what evidence I possess concerning the treatment of prisoners at Rock Island, and asking him for instructions in regard to the form in which he would have me present it; whether as a narration written by myself, or in extracts from my diary.

I will promptly attend to his wishes when I hear from him.

I am glad to learn that a permanent record will exist of the events of the war, that shall stand the test of a scrutiny which will be the measure of its value and authority.

Proofs strong as Holy Writ will not convince a certain class of whom Blaine is the exponent, "neither would they be persuaded, though one rose from the dead;" again, there exists in the South a class who deprecate any effort tending to vindication, and this latter gives encouragement to the former in making its onslaughts. It will be something gained if the obse-

[1] Gen. Bragg at this time was an agent of the Carolina Life Ins. Co. of which Mr. Davis was president.

quious press of the South is silenced, and time and the records will do the rest.

Referring to my case, the British Minister on October 20th 1864 wrote the following to Mr. Seward: "Wright complains very much of the quantity and quality of the food he gets as being insufficient and generative of disease. I hope that his case may be attended to, and that I may hear something soon upon the subject."

Now a few days after this date (Oct. 27th) the Commandg. Officer (Col. A. J. Johnson) sent for me, and inquired whether I would give my parole to remain at Head Qrs. I consented, and from that time until June '65 I assisted in the clerical duties at the Adjutant's Office.

It is possible that the records of the War Departm't. about that date, would furnish the explanation of the change of treatment in my case; and at the same time show that the U. S. Govt. knew it was starving the prisoners.

Dr. Jones may have facilities for obtaining the information; I will suggest the matter to him when I next write.

I beg to thank you for assisting me in bringing my testimony to light, and trust that it will be the means of inducing many more witnesses to come to the front.

I am

Dear Sir

Yours most respectfully

CHARLES WRIGHT.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Memphis, Tenn., 26th March 1870

My dear Sir,

The Secty has written to you an official reply. I have reserved for myself the pleasure of thanking you as I cordially do for your generous support of me, when only the good and the brave did not leave me as the rats do a sinking ship. It will give me sincere pleasure to meet you and I hope there may be for us many days of social intercourse, when we may console ourselves with the reasonable hope that vice will not always hold sway.

Should you find it compatible with your views to accept the Agency for this Company I need not assure you that it will be my wish to make the position both pleasant and profitable to you.

Accept my best wishes and grateful acknowledgements of your kindness and believe me to be faithfully

your's

JEFFERSON DAVIS

Jefferson Davis to R. S. Guernsey.

(From Mississippi Department of Archives and History.)

Private

Memphis Tenn.
9th April 1870

R. S. Guernsey Esqr.

Sir, In reply to your inquiry I give you such information as my memory affords, and writing for your use, and in the midst of many engagements, will not attempt to prepare such a paper as would answer for publication, but only to make a statement which you can cull and reduce to the form suited to your purpose.

I took no action "in the U. S. Senate in regard to the payment of the Missi. State bonds," that subject not having been before the Senate. But while a Senator I twice acted thereon in the following manner.

In the year 1848—*I think*, my connection Thos. E. Robins of Missi. visited me in Washington city and we devised a plan for the payment of the Missi. Union Bank Bonds by the voluntary subscription of those citizens of the State who were willing thus to adjust the claims of the holders of those Bonds, which had some ten years before been declared by the people of the State, to have been issued in violation of the State constitution and therefore devoid of legal validity. Mr. Buchanan was then Secty. of State for the U. S. and gave to the project such favorable consideration, that contrary to the practice of his Dept. he gave to Mr. Robins letters to officials in England which put him in a quasi public character. Mr. R. J. Walker late a Senator of Missi. was then Secty of the Treasury, from him we derived no assistance. Mr. Robins failed in the attempted negotiation with the Bondholders, who probably overestimated the legality of their claim, or underestimated the morality and pride of the people in whom they were invited to confide.

Again in the year 1859, I believe, an article was published and copied by various newspapers which arraigned the integrity of Missi in regard to her public debt and appealed to the sympathy of the World in behalf of the widows and orphans who were represented to have been brought to want by the repudia-

tion of Missi. Bonds, in which their means had been invested. As a Mississippian I chose to expose the hypocrisy and falsehood of the accusation, by the publication of an article of which I have no copy left in my possession.

The substance of it was to show to the public that Missi. had issued two sets of Bonds, one for the Planters Bank and another for the Union Bank—that the first had been on the open market, and had not been repudiated, but admitted to be a debt legally binding on the State; that the last named Bonds which had been pronounced void as having been issued in violation of the constitution had never been on the open market, and could not have been an investment for the means of widows and orphans. That those Bonds had been purchased for the U. S. Bank of Pa. and sent by that institution to England to be deposited as collateral security with the creditors of that Bank of Pa.

As your inquiry is of personal history it may be well to add, that all the statements which represent me as the leader of "Repudiation" in Missi. or as a follower of the doctrine, are without the least foundation in fact. My course in the two instances was prompted by sensibility for the good name and affection for the people of the State in which I was reared & of which I was then a Senator. After twelve years of absence from Missi., at school and in the U. S. Army, I returned to the home of my childhood in 1835. My residence was in a very secluded place and I had no connection with the politics of the country until 1843, before which date the Union Bank bonds had been issued, sold the money squandered and the obligation of the State denied or in the common parlance "the debt repudiated."

I never held any office whatever in the State Government, or served in either branch of its legislature, or ever had any connection with either of its Banks, not even that of a debtor.

If this seem needlessly full, it has been made so because of the persistent and wide spread misrepresentation to which I have been subjected, in connection with the Missi. Bond question. The defence of Missi. referred to was published in a newspaper at Washington D. C. probably the "Constitution" and I have been told was cited by R. J. Walker in a pamphlet issued by him in England during the War. I have not seen that pamphlet, but if it gives the date of my article it may enable you to find it, or at least to fix its date about which I am very doubtful.

To the second branch of your inquiry I suppose you desire only a very general reply.

After being released from prison in 1867 I went to join my

children who had been sent for their safety to Canada. Returned to Va. in the fall the time to which my trial had been postponed. The case was continued till spring—went via Cuba to my former home Missi. & returned to meet the court. The case was again postponed, till summer. I returned to Canada—was in due time notified that my presence was not required as the trial would be postponed until fall and due notice would be given of the time. I then went with my family to England, sailing from Quebec to Liverpool, spent some time in Liverpool, Leamington, and London. Travelled in Wales, Scotland, France & Switzerland, returned to the city of Balto. in the fall of 1869. In the latter part of Nov. 1869 arrived at Memphis Tenn. accepted the Presidency of the Carolina Life Insurance Company, the parent office of which is in Memphis, and have here fixed my residence.

Of my wanderings it is proper to say that in Canada the hospitality of the people was everywhere most cordial, in Englang flattering attentions were offered as well in society as in the Houses of Parliament, in Scotland the kindest and warmest welcome was met everywhere, in France the officials were very courteous and gave all possible facilities to see their public institutions, their military schools, barracks etc. During my stay in France resided in Paris.

I have endeavored thus to give the material which seemed to be wanted by you, and have not availed of your invitation to give any other information in regard to my travels abroad as the sample furnished of your sketches indicates a purpose to compress into small space your notice of persons of whom your readers would prefer a fuller account than they would probably wish of myself.

Apologizing for the hasty manner in which these notes have been written and hoping they may answer your purpose I am very Respectfully &c, &c, &c,

Your's

JEFFERSON DAVIS

G. A. Trenholm to Jefferson Davis.

(From Confederate Museum.)

Charleston April 30, 1870

My Dear Mr. Davis,

I hasten to thank you for your letter of 27th inst. I have no difficulty now in forming an exact estimate of character in the person spoken of,

I hope your Company is prosperous and that all goes well with you. I have had much trouble, being involved in Fraser Trenholm & Co's difficulties; but have endeavored to bear up against them. Mrs. Trenholm and the girls are all well, and speak of you frequently with undiminished respect and affection. When you write me another letter (of which I now have a promise) be good enough to tell me all about Mrs. Davis and the children; where they are, what they are doing and when they will return home. We are all interested. Present our warmest regards to Mrs. Davis, in your letters, and be good enough to tell her that we indulge the hope of seeing her in Charleston again when she shall be returning home.

Yours sincerely

(Signed) G. A. Trenholm.

L. B. Northrop to Jefferson Davis.

(From Confederate Museum.)

Albemarle Co., Va.
May 9th, '70.

My dear Davis:

Yours of the 29th found me nursing my wife—who is feeble—confined then to bed she is now up. Much would I enjoy a trip south, and very much the pleasure of being with you but circumstances exclude all ideas of pleasure this side of the grave, my daily presence is essential here. fortunately my education was polished off by the indians, Osages especially teaching me to make few things answer many ends, and to be content with little. Furthermore I am troubled with inveterate prolapsus ani and it is almost intolerable to be without free use of water.

I went to Baltimore once to bring home my darling Isabel who had nearly completed her noviciate in a convent, when rapid tuberculation developed. I wanted her to die with me—which she did in my arms. The trip was made in 40 hours. 12 hours from home is too long, so my friend I can not travel. Kind regards to Robert say that I am his debtor, for a case of fidelity gives me a real joy, as genuine, and more elevated than riding a thorough bred. It may comfort you to know that to poverty and age consolations are sometimes vouchsafed, I ride a fine thorough bred mare now, genuine racing stock 15 hds. high her acquisition is due to my judgement and enterprise in the horse line.

It was a mistake the party had McCabes not Pollards book but Dr. Randolph had the latter promises to print it up I will not let him rest until I get it when if the paper is published therein you will get a copy.

I got the numbers of the historical review to read the letters, I could not ask the loan, knowing that the owner did not like to lend, so read them at his door hurriedly. They are "windy" puerile and malicious. You had grounds; for your policy was sustained by Earl Russel to Seward; and Gladstone's declamations in Parliament, that the want of cotton stowing 2,000,000 was a greater emergency than the existing one, and it was not credible that the trade would have been allowed by Lincoln longer than it was harmless to him. I wanted it as a present relief and pressed it, you had other considerations which Hunter ought to have known. The attempt to make you responsible for not making terms, which would never have been kept, and then for preventing a successful resistance is illogical, and vindictive for some unknown grievance, no useful end can be in view in such discussions—they are personal. Hunter was facile and needed driving, and I suspect Ruffin is his driver. I never understood the cause of his aversion. You may be sure that those papers contain all that you were told he had against you. I left them on file. Your last ignores all but one point it was wise and contemptuous, It is not unlikely that another attempt will be made malice is never satisfied until hit by its own recoil. As I have told you I have no recollection of any connection between that paper and the obstructions on Clear Creek—believe it to have turned our policy in witholding cotton from the English and the Yankees. If Ruffin had ever got anything stronger against you than this alleged blunder I would have heard of it.

I remember the fact that an establishment for curing meat was foolishly burnt and think it was Thoroughfare Gap. I will write to Genl. Lawton for the address of Major Moses who ought to know. I believe him to be a true man.

You ought to be able (if practicable) to treat any statements of Johnston by a simple contradiction. His mistatements about his powers in Miss. are to the point. Genl. Cooper told me that his powers were as free from controll from Richmond, is (as) language could make them. He had a disgraceful debauch with Col. Wheat at Manasses the soldiers got the liquor and it was a grand drunk. Col. E. G. Randolph told Hancock—officer of the guard—that he would get from the command of such a general, and at the reorganization effected his purpose. Hancock is

devoted to you he saw it, his attention being called by a sentinal. Randolph is now a member of the Legislature in La. The only wrong ever done to prisoners by a confederate officer was by Capt. Warner Genl. Winders commissary He was from Ohio Bledsoe wanted me to appoint him I would not. He got the commission. He committed irregularities in purchasing so I had him stopped this did not suit Foote and Winder tables not this man's speculations—He sent off a batch of prisoners once without food enough They suffered It was raked up and I proved that this fellow had deliberately sent them off unsupplied though he was offered precisely the provisions then issued to the troops in Richmond. He was a spy was unmolested after the war and boasted of services rendered the Federal Govt.

Your memory is so accurate that I hesitate to inform or amend. I have even given you the credit of beating McClellan for I know that you tried to force Johnston to some comprehensive procedure before 7 pines. The herds of cattle collected at Richmond were getting thin and might attract suspicion so I went to Lee and was told of the day and the plan, I expressed my delight and confidence. His uncertain manner made me think it was not his. I witnessed from the rear the opening on the Meadow Bridge road and I think now a blunder at Mechanicsville. I road from towards the front to where Lee was He asked me where the batteries in front were I replied I did not know but would find out for him he declined. I had told Randolph some time before that I saw that we did not know how the Federals were disposed he said yes, I proposed a feasible mode of getting minute knowledge, it was not acted on, it was the only one, so I knew that we were rather in uncertainty. You remember that Johnston was nearly damaged at the White House by delays in starting, as well (as) at 7 pines. You remember Josh Hill's mission from Browne and that the retreat to Atlanta was in opposition to his own alleged judgment supported by Hardie and Polk, and laid on Hood, the junior recently joined.

I am as ever your friend,

(Signed) L. B. Northrop.

P.S. My wife sends "her love to you and says she hopes my letters satisfy you." She still views you as chief of the Confederates not understanding that failure should engender incrimination.

I am informed that Hunter is a drunkard, "A gone man."

Adieu,

L. B. N.

Jefferson Davis to W. T. Walthall.

(From Confederate Memorial Hall.)

Memphis, Tenn., 4th June 1870

Maj. Walthall,
My dear Sir,

Your's in regard to the change of the boundary of your district so as to embrace the country about Pensacola has received attention and the modification you suggested has been adopted, as you will be more formally informed by the Secretary of this Co.

The season is unfavorable for applications and little more can be expected than preparation for business when the returns dependent upon growing crops have been received.

With best wishes and sincere regard and esteem I am truly your's

&c, &c, &c

JEFFERSON DAVIS.

J. M. Mason to Jefferson Davis.

(From Confederate Memorial Hall.)

P. O. Alexandria,
Clarens, Fairfax Cty. Virginia.
June 16th '70

My dear Davis,

Your letter of the 11th inst. came to me yesterday and was most cordially welcomed. I had proposed for some time past to write to you, but fear I am falling into the sere and yellow leaf, amongst other evidences of which is lassitude and vis inertia. Indeed my health for some months past has been far from satisfactory; resulting, I think, from general derangement of the digestive organs, liver stomach &c., perhaps the wearing out of the machine. In the hope of patching that up, I propose a visit of a few weeks to the Virginia White Sulphur Springs, probably about the 13th of July,—but this is not to interfere in any manner with your projected visit to us. I beg as soon as you can mature your plans, you will give notice when you will reach Alexandria. We are but two miles from the Station there, and I will meet you with my carriage. I fear another visit to

Europe, even to accompany you, is forbidden me. Amongst other obstacles, my vision has become so much impaired probably in sympathy with deranged viscera that I can no longer read even with glasses, and thus am dependent upon others for my reading, as I have long been for my writing.

Still we have a bright and beautiful home,—a fortunate purchase,—a large and commodious house, ample grounds, garden &c., in all some twenty eight acres of land, where we shall be most happy to receive you and make you at home.

As I can no longer read or write I pass most of the time out of doors, supervising and interested in whatever is doing there. I had a visit last winter from Breckinridge, who came to Washington, on the occasion of the marriage of his son Cabell to a daughter of Robert (Bob) Johnson, and kindly came and spent a night and day with me. He was buoyant and in good health and condition. Though but eight miles distant I never go there of course, nor have I seen, so far as I know, any man from north of Mason and Dixon, since I returned to Virginia,—except once the rascally Yankee tax-gatherer.

I remark what you have said of the apparent truckling of certain persons,—the South was wont to rely on, but you must remember, that even amongst the Apostles, tho' but twelve in number, one renounced his Master, and another backslided. Such is poor human nature from the beginning. We can only deal with man as he is, and not as we would have him to be.

I think as far as I can make out in Virginia, although with some Truants, the masses comprising those formerly leaders of opinion remain sound. The doctrine I preach to them is, as things are, we can only wait events, with what ever patience we may, preserve the traditions of our Fathers and preserve our faith, not without hope. If there be anything in the experience of human agency, in the management of human affairs, there are events yet in store for us, when to transpire, I will not undertake to foretell, which will restore us to our inheritance of self government with independence. The Yankee government must fall to pieces of its own rottenness,—the North and West sluff off, and the result a disintegration of the States and afterwards, new forms of connection.

I had a long letter from Hunter last winter, but have not seen him. He is buried at his plantation on the lower Rappahannock entirely out of the world and difficult to disinter. It takes a week for a letter to reach him, but if you will let me know in advance when to expect you here, I will stir him up to

come and meet you. His address is "Lloyds, Essex County, Virginia."

I will communicate to him what you have said with regard to the conference with Lincoln and Seward; will give him your address and ask him to write to you about it.

I remarked at the time, as stated in the newspapers, the meagre information derived from the Commissioners on their return from that Conference because as they stated, it had been agreed that what passed in the Conference should be held confidential, a dextrous move of Seward to shield himself from the mob at home, and at the same time to have the Southern Commisioners at disadvantage under silence when he chose, as he did, to colour and to lie in regard to what passed. I had no reliance on the force of character or of will of either of his colleagues, but I marvelled that Hunter both astute and honest, could fall into such a trap,—that Envoys sent on so grave a Mission, should disable themselves from communicating to their government and through it to their people, all information that could have bearing or influence in regard to ulterior measures or the fortunes of the War.

I had a late letter from Beresford Hope in England, who inquired with much interest about you, and expressed the great pleasure he had in meeting you, with regret that in the condition of things then around him he could not bring you, with Mrs. Davis, to Bedgebury Park, his residence in the country. Should you go to England you must look him up, and I know you will be cordially received. He is truly an excellent man, was an enlightened and untiring friend of our cause and to me during my whole residence in England, a most useful and efficient friend. I hope you met his wife Lady Mildred daughter of the Marquis of Salisbury and her daughters. They are a charming family, and as their frequent guest made me always at home.

I was glad to learn that you had found a resting place, I hope an agreeable one, and not without profit in Tennessee. No danger of being overworked, and with a good staff.

Amongst other of the agreements of our new home is that our nearest neighbor is my Brother in law Cooper, within a few minutes walk. He owned the place and lived there before the War. But the demons destroyed his house and devastated his grounds. He got upon his return a convenient cottage, where he lives comfortably, though with very small means. He is in good general health, though growing old. You will see him when you come to us. I hope you have good accounts

of Mrs. Davis and your family in Europe. Mrs. Mason and my Daughters unite with me in affectionate regards to you.

Truly
J. M. Mason

endorsed:
J. M. Mason ansd. 14th July '70.

R. R. Stevenson to Jefferson Davis.

(From Confederate Memorial Hall.)

Augst. 1st 1870
Upper Stewiacke P. O. Colchester Co.
Nova Scotia
Dominion Canada.

Hon. Jefferson Davis,
Dear friend,

Your kind favor of 15th ult. is at hand—from the caption of it I am highly pleased to learn, that, the Southern people still appreciate your sterling worth; and have placed you in a position that must at once be congenial to your feelings and consistent to the wishes of your numerous friends.

You speak of me "returning to my own Country" &c. This I would gladly do, but painful as it is to acknowledge the fact my pecuniary circumstances are such that in all probability I shall never be able to visit my native land again. I have a large and helpless family (8 in number) all dependent on me for a support and in a sterile country like this, coupled with ill-health and small fees it is just barely possible for me to make a living and keep out of debt.

I have compiled a small work of about 200 pages foolscap, the title of which you will find in the enclosed "memorial" and as I have since my last communication to you received a letter from Mr. Winder of New York in which he gives me some very discouraging news in regard to the speedy publication of his work on "Andersonville Prison" in consequence, he says, of the difficulties experienced in procuring additional testimony to that which I furnished him, and as the work is therefore likely to be delayed for some time yet, perhaps never to be published, I therefore send enclosed a "petition" for your endorsement, to the "just and generous" of the South to assist me in the publication of it and have to request of you if consistent with your better judgement to place it in the hands of the proper

committee or persons (with as many duplicates as you may think best) requesting donations for the purposes above indicated.

Please let me hear from you at your earliest convenience, giving me your views on the *project*, and whilst thanking you for your kind wishes for my welfare, permit me to subscribe myself

Your most humble servt.
R. R. Stevenson

(Accompanying letter of R. R. Stevenson to Jefferson Davis.)

A PETITION to the "Just and generous" people of the Southern States for funds to aid in the publication and circulation of a "work" to be entitled "The other Side," or Andersonville Prison: Compiled from copies of "official documents" found in the hands of one of the alleged conspirators of Capt. Henry Wirz—By "Justitia."

In soliciting donations for the purposes above indicated the Author (formerly the Surgeon in charge of the Confederate States Military Prison Hospitals Andersonville Geo.) would respectfully state that he would not think of entering into a detailed account of this place, if it had not been that the United States Government in the form of a "Court Martial" tried and convicted one man (who had it was alleged the assistance of only some ten or twelve others) with the stupendous crime of wilfully murdering some ten or twelve thousand Prisoners of War, by the barbarous plan of starvation, for which alleged crime he was condemned and hung, and the charges of a conspiracy fully sustained.

Therefore in consideration of the libellous tales of woe and misery that are couched in some of the "Narratives" of "Andersonville Prison" by such men as Spencer, Chipman, Chandler, Jones Hamlin and others, and as no public vindication has yet appeared by any Southern Officer connected with the Prison, I have concluded (being the sole possessor of Copies of "Official Documents" preserved whilst on duty at the prison) that the honor of the South demands in justice to the departed heroes and living veterans of an "expired nation" that she should no longer rest under the false accusations that have been so ruthlessly heaped against her countrymen and the alleged Co-Conspirators of the Unfortunate Capt. Henry Wirz.

In the proposed work the evidences will be incontestable and beyond the shadow of a doubt,—1st, that the alleged sufferings at Andersonville Prison were the results of a malignant pestilence, coupled with the uncontrollable events of a fierce and bitter war—2d, that this man (Wirz) expiated his alleged crimes under the form of a trial that can reflect no credit to the government that tried him—3d, that his life was sworn away by suborned testimony—4th, that his alleged co-conspirators were as innocent of the crimes charged as himself.

Names.	Amount	Names	Amount

endorsed:
for publication of Records of Andersonville; Dr. Stevenson.

W. H. Winder to Jefferson Davis.

(From Confederate Memorial Hall.)

New-York, Decr. 3, 1866.

"W. H. Winder, Esq.,
Dear Sir:—

At your request I give below the substance of a remark made to me by President Davis on the occasion of a visit made to him by me at Fortress Monroe in September last. We were speaking of the treatment of Federal prisoners at Richmond and of your Brother, the late Gen. Winder, in connection with this subject. Mr. Davis said that he always supposed that Gen. Winder treated the prisoners with proper humanity—that his long experience as an old army officer would have entitled him to a much higher position than the one he held but he was retained in the Department of Richmond (or Post of Richmond as it was sometimes called) because of his great humanity and kindly disposition to prisoners of war.

I have the honor to be
very respectfully
your obt. servt.
J. Warner."

Dear Sir:

The above is copy of a letter from Capt. Jackson Warner commissary to Gen. Winder at Richmond. Capt. Warner's own

humanity to prisoners was so notorious that when on Capture of Richmond he was imprisoned on charges of cruelty to prisoners, the spontateous testimony from all quarters of his humanity soon released him.

While I have no doubt of the correctness of the above, I yet have deemed it preferable to submit to you for confirmation; and at same (time) to state that I have been informed that Gen. Winder had command of the troops at Goldsboro, N. C. when the confusion and mismanagement at Andersonville induced the War Department to detach Gen. Winder from his command to take charge of Andersonville to remedy the evils which then disturbed it; being selected as specially fit to take charge of and protect the prisoners.

May I ask of you the favor of a reply to these two points. I am preparing a statement, which will demonstrate, I think, by authentic materials, the following points,—

1. That from the outset, the Confederates sought *wholly to avoid* suffering, by neither party retaining prisoners.

2. That the Federal Govt. having assented to this, deliberately and persistently violated it, while hypocritically pretending *to the world* to be in favor of Exchanges.

3. That the sufferings of the Confederate prisoners was the will and not the poverty of the north.

That the sufferings of the Federal prisoners was owing to the poverty of the south and not to its will. The only exception to this was when in retaliation to the Federal action of refusal to allow Confederate prisoners to receive supplies, the Confederates temporarily adopted the same course. These views will be supported by overwhelmingly official and authentic testimony, proving that with all the superabundance of resources for shelter food and clothing of the Federal authorities, more Confederate prisoners died than Federal, tho' there were more Federal than Confederate prisoners.

4. That by official correspondence, a proposition was made to the Federal Govt. to supply the Confederate troops and take pay in cotton and have in return liberty to furnish Federal prisoners at the South,—which it declined under pretence that the "rebel" authorities would consent to no such arrangement.

5. I will show by Official correspondence, that the War Department deliberately and by a wicked violation of faith deprived the Confederate prisoners of supplies from Nov. to Feb. '64 while the Federal prisoners were in receipt of unbounded supplies from the North.

And finally,—after proving many other things, close my account by proving that the Federal authorities treated their own soldiers worse than the Confederates treated them.

I am most respectfully

Yours

August 1870 W. H. WINDER

Hon. Jefferson Davis.

P.S. I am in correspondence with Dr. Stevenson and expect to soon receive his papers.

endorsed; W. H. Winder; ansd.

Jefferson Davis to James Phelan.

(From Manuscripts Division, Library of Congress.)

New York
10th Aug. 1870

Dear Friend,

I sail to day in the Russia, and wish before leaving to give you my thanks and most fervent wishes for the happiness and prosperity of you and your's—

Enclosed is a check which was paid to me here and which I wish you in the proper mode to give to Col. Cockrell. Read my letter to him & see if it is right—

God bless you my dearest friend—

JEFFERSON DAVIS

J. Phelan—

[Envelope indorsed: Private
Address: Hon. James Phelan
Care of Judge H. T. Ellett
Madison Street
Memphis
Tenn.
Postmark: New York Aug 10 3 P M]

J. P. Benjamin to Jefferson Davis.

(From Confederate Museum.)

6th Sept. 1870.

My dear friend:

Your note of 5th inst has been forwarded to me here. I knew you were in London when I passed through and made

every effort to get an hour to spare in order to call to see you on the only day that I remained there, but was unable to shake off pressing business until a late hour at night, and I was off early in following morning to join my family here. I was very uneasy about them as my daughter returned to me from Paris a sight cheque of the Bank of England which I had remitted to her, saying that *she could not get the money for it!* I did not know how they would be able to get away from Paris, but fortunately they had French money enough to bring them here where they could wait for my arrival, and we are now spending a few weeks here.

I shall be in London early next month when I hope to have the pleasure of once more pressing your hand and having a talk over old times, as well as of the future prospect of our loved Common land.

Till then I send you and Mrs. Davis the warmest greetings.

Ever yours truly,

(Signed) J. P. Benjamin.

Hon. Jeff. Davis.
London.

Jefferson Davis to A. J. Beresford Hope.

(From New York Historical Society.)

Liverpool
6th Oct 1870

Dear Mr Hope, I had hoped to have seen you during my brief visit to your country and would have written to ask whether you could receive me at your country home had I not learned that you were absent. I am to sail on the 8th Inst. with my family for America, and before going wish to return to you my grateful acknowledgements for your many kind attentions during my former visit.

Our friend J. M. Mason who I saw just before leaving America charged me with many friendly expressions for yourself and family. He was not well and was seeking relief from the use of the waters of the White Sulphur Springs, but the visible and rapid decay leaves but little hope of his restoration. Your uniform cordiality towards "the South" induces me to suppose you will be pleased to learn that its material prosperity has steadily advanced for the past two years. The War in Europe by depressing the price of cotton seriously injures us,

but we hoped for selfish and I trust more commendable motives that the War would be brief. Events of a more recent date have however rendered the prospect of peace less encouraging. The progress of the War has been such as could not have been anticipated, can it be comprehended even with the advantage of retrospect?

If the warm welcome and highest appreciation of our people can tempt you to visit us, I may hope to see you in our country. My address will be Memphis, Tennessee, and it will always give me much pleasure to receive a letter from you, especially to learn of your family and yourself whatever concerns you Mrs. Davis requests me to present her kindest regards to Lady Mildred your Daughters and yourself, and to inform you that the poor woman to whom you were so good, has quite recovered and is doing well.

Please offer to Lady Mildred and to your Daughters my very respectful and affectionate remembrance. With the earnest hope that it may be granted to me to meet them again, and my sincere thanks to them and to you, I am

faithfully your's

JEFFERSON DAVIS

Hon. J. B. Beresford Hope M. P.
Arklow House

Remarks of President Davis at the Meeting of the Confederate Soldiers and Sailors held at the First Presbyterian Church, Richmond, Virginia, November 3, 1870, for the purpose of organizing the Lee Monument Association, as reported in the Richmond Dispatch for Nov. 4, 1870.

REMARKS OF PRESIDENT DAVIS.

As Mr. Davis arose to walk to the stand every person in the house rose to his feet, and there followed such a storm of applause as seemed to shake the very foundations of the building, while cheer upon cheer was echoed from the throats of veterans saluting one whom they delighted to honor.

Mr. Davis spoke at length, and with his accustomed thrilling, moving eloquence. We shall not attempt, at the late hour at which we write, to give a full report of his address.

He addressed his hearers as "Soldiers and Sailors of the Confederacy, comrades and friends": Assembled on this sad oc-

casion, with hearts oppressed with the grief that follows the loss of him who was our leader on many a bloody battle-field, a pleasing though melancholy spectacle is presented. Hitherto, and in all times, men have been honored when successful, but here is the case of one who, amid disaster, went down to his grave, and those who were his companions in misfortune have assembled to honor his memory. It is as much an honor to you who give as to him who receives, for above the vulgar test of merit you show yourselves competent to discriminate between him who enjoys and him who deserves success.

Robert E. Lee was my associate and friend in the military academy, and we were friends until the hour of his death. We were associates and friends when he was a soldier and I a congressman; and associates and friends when he led the armies of the Confederacy and I presided in its Cabinet. We passed through many sad scenes together, but I cannot remember that there was ever aught but perfect harmony between us. If ever there was difference of opinion it was dissipated by discussion, and harmony was the result. I repeat, *we never disagreed,* and I may add that I never in my life saw in him the slightest tendency to self-seeking. It was not his to make a record, it was not his to shift blame to other shoulders; but it was his with an eye fixed upon the welfare of his country, never faltering to follow the line of duty to the end. His was the heart that braved every difficulty; his was the mind that wrought victory out of defeat.

He has been charged with "want of dash". I wish to say that I never knew Lee to falter to attempt anything ever man could dare. An attempt has also been made to throw a cloud upon his character because he left the army of the United States to join in the struggle for the liberty of his State. Without trenching at all upon politics, I deem it my duty to say one word in reference to this charge. Virginian born, descended from a family illustrious in Virginia's annals, given by Virginia to the service of the United States, he represented her in the Military Academy at West Point. He was not educated by the Federal Government, but by Virginia; for she paid her full share for the support of that institution, and was entitled to demand in return the services of her sons. Entering the army of the United States, he represented Virginia there also, and nobly. On many a hard-fought field Lee was conspicuous, battling for his native State as much as for the Union. He came from Mexico crowned with honors, covered by brevets, and recognized, young as he was, as one of the ablest of his

country's soldiers. And to prove that he was estimated then as such, let me tell you that when Lee was a captain of engineers stationed in Baltimore the Cuban Junta in New York selected him to be their leader in the struggle for the independence of their native country. They were anxious to secure his services, and offered him every temptation that ambition could desire. He thought the matter over, and, I remember, came to Washington to consult me as to what he should do, and when I began to discuss the complications which might arise from his acceptance of the trust he gently rebuked me, saying that this was not the line upon which he wished my advice, the simple question was "*Whether it was right or not*". He had been educated by the United States, and felt wrong to accept place in the army of a foreign power. Such was his extreme delicacy, such was the nice sense of honor of the gallant gentleman whose death we deplore. But when Virginia withdrew—the State to whom he owed his first and last allegiance—the same nice sense of honor led him to draw his sword and throw it in the scale for good or evil. Pardon me for this brief defence of my illustrious friend.

When Virginia joined the Confederacy, Robert Lee, the highest officer in the little army of Virginia, came to Richmond, and not pausing to enquire what would be his rank in the service of the Confederacy, went to Western Virginia under the belief that he was still an officer of the State. He came back, carrying the heavy weight of defeat and unappreciated by the people whom he served, for they could not know, as I knew, that if his plans and orders had been carried out the result would have been victory rather than retreat. You did not know, for I would not have known it had he not breathed it in my ear only at my earnest request, and begging that nothing be said about it. The clamor which then arose followed him when he went to South Carolina, so that it became necessary on his going to South Carolina to write a letter to the Governor of that State, telling him what manner of man he was. Yet, through all this, with a magnanimity rarely equalled, he stood in silence, without defending himself, or allowing others to defend him, for he was unwilling to offend any one who was wearing a sword and striking blows for the Confederacy.

Mr. Davis then spoke of the straits to which the Confederacy was reduced, and of the danger to which her capital was exposed just after the battle of Seven Pines, and told how General Lee had conceived and executed the desperate plan to turn their flank and rear, which, after seven days of bloody

battle, was crowned with the protection of Richmond, while the enemy was driven far from the city. The speaker referred also to the circumstances attending General Lee's crossing the Potomac and the march into Pennsylvania. He (Mr. Davis) assumed the responsibility for that movement. The enemy had long been concentrating his force, and it was evident that if they continued their steady progress the Confederacy would be overwhelmed. Our only hope was to drive him to the defence of his own capital, we being enabled in the meantime to reinforce our shattered army. How well General Lee carried out that dangerous experiment need not be told. Richmond was relieved, the Confederacy was relieved, and time was obtained, if other things had favored, to reinforce the army.

But, said Mr. Davis, I shall not attempt to review the military career of our fallen Chieftain. Of the man, how shall I speak? He was my friend, and in that word is included all that I could say of any man. His moral qualities rose to the height of his genius. Self-denying—always intent upon the one idea of duty—self-controlled to an extent that many thought him cold. His feelings were really warm, and his heart melted freely at the sight of a wounded soldier or the story of the suffering of the widow and orphan. During the war he was ever conscious of the inequality of the means at his control; but it was never his to complain or to utter a doubt—it was always his to do. When in the last campaign he was beleaguered at Petersburg, and painfully aware of the straits to which we were reduced, he said: "With my army in the mountains of Virginia I could carry on this war for twenty years longer". His men exhausted and his supplies failing, he was unable to carry out his plans. An untoward event caused him to anticipate the movement and the army of Northern Virginia was overwhelmed. But in the surrender he anticipated conditions that have not been fulfilled—he expected his army to be respected and his paroled soldiers to be allowed the enjoyments of life and property. Whether these conditions have been fulfilled, let others say.

Here he now sleeps in the land he loved so well, and that land is not Virginia only, for they do injustice to Lee who believed he fought only for Virginia. He was ready to go anywhere, on any service for the good of his country, *and his heart was as broad as the fifteen States struggling for the principles that our forefathers fought for in the Revolution of 1776.* He is sleeping in the same soil with the thousands who fought under the same flag, but first offered up their lives. Here the

living are assembled to honor his memory, and there the skeleton sentinels keep watch over his grave. This citizen! this soldier! this great general! this true patriot! left behind him the crowning glory of a true Christian. His Christianity ennobled him in life, and affords us grounds for the belief that he is happy beyond the grave.

But, while we mourn the loss of the great and the true, drop we also tears of sympathy with her who was his help-meet in life—the noble woman who, while her husband was in the field leading the army of the Confederacy, though an invalid herself, passed the time in knitting socks for the marching soldiers! A woman fit to be the mother of heroes—and heroes are descended from her. Mourning with her, we can only offer the consolation of a Christian. Our loss is not his, but he now enjoys the rewards of a life well spent and a never wavering trust in a risen Saviour. This day we unite our words of sorrow with those of the good and great throughout Christendom, for his fame is gone over the water—his deeds will be remembered; and when the monument we build shall have crumbled into dust, his virtues will still live, a high model for the imitation of generations yet unborn.

We have given but a faint idea of the eloquent thoughts and chaste oratory of the speaker. His words were heard with profound attention, and received with frequent applause.

Wm. Preston Johnston to Jefferson Davis.

(From Confederate Museum.)

Lexington, Va. Dec. 11, 1870.

My dear Mr. Davis:

In writing to you a day or two since, I omitted a matter which the Committee on the Lee Memorial Volume requested me to mention. Col. Marshall wrote here for materials for the Campaigns in West Va., and Genl. Lee's period of service in Georgia, to which his personal experience did not extend. The material he seeks is not a detailed account, but an outline. The request we had to make of you, in which Custis Lee joins, was that you would give Col. Marshall any aid you could conveniently and without the labour of referring to books and papers.

Stoddard Johnston wrote me that he had been greatly gratified in meeting you. When I see how steady is the trust and affection reposed in you by the great mass of the Southern

people, I feel that you owe it to yourself not to die without vindicating the truth of history. It has rarely been the lot of a man who has acted great deeds to be able by education and circumstances to tell the story of them. What is needed is not so much, not nearly so much, a defence of opinions in which millions shared, as a *narrative of facts* and of your reasons for action. These, your memory will supply in great part and you can add force by a verification of them afterwards, a comparison of dates and figures before publication. I do not believe any man ever lived who could dare to tell in the light more fully what was done in the dark, than you can. Most men who have lived in such troublous times should be well content to have their biographies written by those who did not know their motives. I am sure your motives will add honour to your acts.

Let me beg of you therefore not to put off, too long, publication. It seems to me a friendly duty to warn you not to forget your design.

Please present me very affectionately to Mrs. Davis and your little girl; and believe me

Very truly and faithfully yours,

(Signed) Wm. Preston Johnston.

Hon. Jefferson Davis.
Memphis, Tenn.

Thomas F. Drayton to Jefferson Davis.

(From Confederate Museum.)

Montezuma. 23d Jany. 1871.

Dear Jeff:

I was delighted at receiving your welcome letter of the 9th inst. and hope that in the time to come, the intervals in correspondence may not be as wide apart as they have been.

I am surprised at the account Crafts I. Wright gives of his health and physical condition. From his appearance at our last interview (1868!) I anticipated for him more bodily vigor than generally accompanies men of an advanced age.

I will drop Wright a few lines to remind him that I am one of the few of our class still above the sod. I suppose his address is Cincinnati.

I concur with you in regard to the difficulties which surround an inexperienced Agent embarking for the first time in the Life Insurance business. If there had been a choice of occupation for

a man without capital, in some other noncongenial field, I should perhaps have gone there, instead of taking service with the S. Life Insurance, to commence my new duties on the 1st of next month.

As to planting in Southwest Georgia, I have found it so injurious to my health and unprofitable besides, that I concluded to give it up and try something else for a living. Four years out of five to be more or less confined to bed and house with dumb chills and fever, was more than I could run the risk of passing through again and hence my change of domicil and occupation.

When my brother Percival died in Augt. 1865, he left me by will about $27,000. All of this has been absorbed in running a plantation in a sickly region, with Freedmen; with the exception of what I appropriated in giving a start to my three eldest sons, who I am glad to say are taking care of themselves. The balance of my brother's fortune, was distributed in the North.

After the war, I came to Georgia to be near my eldest daughter who had married in this section, and a mistake I made of it, in a pecuniary point of view.

I did not cast anchor in South Carolina for the reason that part of my lands had been confiscated by the Federal Government and the rest so much damaged by Yankees, and Confederate troops that I had not funds enough to repair injuries and renew stock, implements, dams, floodgates, etc. I would have much preferred remaining in my own state for many reasons. Moreover when a man quits early friends and the land of his birth, he is much more apt to miss these early friends than they him.

I am rather surprised at your remark, "We are too poor to keep house." I had hoped from what I had heard, that you were very comfortably provided for in your present position. I hope however that as the business of your Company increases, your income may proportionally do the same. At our time of life, it is very trying to be obliged to labor as hard as we did 30 years ago, and this too, with impaired constitutions.

As to myself, I am going to work hopefully, and trust that a few months connection with the Southern Life, will give me information upon many matters at present more or less obscure, and enhance my usefulness, when the opportunity of a better position is offered. Thank God for the improved health I now enjoy. Otherwise, I would not have ventured upon the exposed and fatiguing duties more fitted to a younger man, and yet no man can succeed as an Agent who has not had actual work in getting policies.

I am glad that Mrs. Davis is with you again, and I wish it was so, that all of your children were at home also. They make these long winter evenings so merry and joyous.

Although you make no mention of your health, I assume from the tone of your letter that it is good. I hope you may never have dumb chills. If you do, dont consult the doctors, but move away for a month or two. *Change of air* is better than all their nostrums and sage advice to boot.

Adieu—With my kindest regards to Mrs. D. and best wishes for you both, believe me, as always,

Your friend,

(Signed) Thos. F. Drayton.

Hon. Jefferson Davis,
Memphis, Tenn.

P. S. Address me care of Rogers, Edings & Co.,
Macon, Georgia.

Jno. S. Preston to Jefferson Davis.

(From Confederate Museum.)

CAROLINA LIFE INSURANCE COMPANY,
MEMPHIS, TENNESSEE.

JEFFERSON DAVIS, - PRESIDENT.

John S. Preston,
General State Agent,
Virginia.

Richmond, January 24, 1871.

My dear Sir,

Your letter is after your ancient fashion of being kind—and I will go on with redoubled rage running down—remorselessly—the impoverished Virginians— I am gradually getting good men throughout the State, some of whom—have become disgusted with the trickery and pippery of other Companies— But it is very hard to get men to work— I fear our friend Semmes is good for nothing as an agent. I will help him with another— My associate here—is active, keen—honest and popular, and will soon become an efficient agent.

The Piedmont and Arlington is getting into decided disrepute —whether justly or not I cannot say: I think we will come in for a fair portion of their losings—

Thanking you heartily for your kind response to my application and with cordial respects to Mrs. Davis, I am, dear Sir,

Yrs. faithfully

(Signed) Jno. S. Preston.

Fitzhugh Lee[1] *to Jefferson Davis.*

(From Confederate Museum.)

Richland, Stafford Co. Va.
March 1st '71—

My dear Sir—

There was a time, I need not say, when I cared for but little outside of a good horse and a calvary sabre—

Latterly I realize that the animal and the weapon have been to a *degree* (may I write?) replaced and I tell you Sir—(nay report it to you as my Comdg officer), of the partial change effected—

So the object of this is to say, that on the 19th of April in the good old town of Alexandria, I am to be married to a Miss Nellie Fowle of that place—and in this the ardent hope Mr. Davis is expressed that both yourself and Mrs. Davis will be present— I recall that in Richmond Mrs. Davis half way made a promise to try—will she do it?

Though the pleasure of having you both present upon that interesting occasion will be inestimably dear to me, I could not think of its offering sufficient inducement to you to make a journey—but I am able to cite another and stronger one to you—viz the opportunity it will afford for you to see your good friends Mr. James Mason and Gen Cooper, both of whom will be present, and enable you to delight them with a visit.

[1] Lee, Fitzhugh (1835-1905), a soldier, grandson of "Light Horse Harry" Lee and nephew of Robert E. Lee, was born at Clermont, Va., November 19, 1835, was graduated at West Point in 1856, and assigned to the 2nd Cavalry. He saw active service against the Comanche Indians, and at the opening of the civil war was cavalry instructor at West Point. He was with the army of Northern Virginia in all its campaigns, rising to the rank of major general September 3, 1863, was severely wounded at Winchester, Va., in 1864, was placed in command of the cavalry corps, Army of Northern Virginia, in March, 1865, shortly before the surrender. He was governor of Virginia, 1886-1890, and in 1896 was appointed consul-general at Havana, Cuba. During the Spanish-American war, he was in command of the Seventh Corps, and in 1899 was military governor of Havana. He died in Washington, D. C., April 28, 1905. He wrote a life of Robert E. Lee, 433 pp., New York, 1894; and Cuba's Struggle Against Spain, 1899.

Therefore please make one of your old Cavalry men happy by letting him say to his great *grand* children you were present at their great grand fathers wedding—

Please present my warmest remembrances to Mrs. Davis and please too bear in mind how much all my people will like to see you both next month.

Yours with the highest esteem,

(Signed) Fitzhugh Lee.

Hon. Jefferson Davis
Memphis, Tenn.
P. S. My P. O. is Richland Mill, Stafford Co., Va.—

A. Dudley Mann to Jefferson Davis.[1]

(From Confederate Memorial Hall.)

17 Boulevard de la Madeleine,
Paris, April 2, 1871.

My Ever Dear Friend,

I wrote to you repeatedly by "Bilber." One of my Letters—that addressed to the kdg (one word illegible) of Presst (one word illegible)—I presume was received, as Mr. Dean, to whose care it was addressed, informs me that it was promptly forwarded from London.

Unhappily I have been without any direct tidings from you since your departure from England, but I have heard of you at Memphis more than once, but not recently. In the absence of first intelligence I console myself with the belief that you are all in good health, and that the world, at least in a pecuniary sense, is going along satisfactorily with you. Be assured that of all my earthly friends you and yours are the uppermost in my thoughts and the dearest in my cherished affections. The memory of my heart in this hallowed devotion can only cease with its last throb.

Of Paris what can I say that will not be uninteresting "old news" to you, before this arrives at its intended destination? Wonder itself is so exhausted at startling events and occurrences that nothing that can transpire hereafter will be sufficiently momentous to excite it to high exertion. Of the 135 days of

[1] Mr. Mann was not noted for his plain, readable handwriting, some of the words in this letter are quite illegible.

siege and 15 days of lawless rule, there was not a more appalling one than the present. The Red Flag is triumphantly and defiantly unfurled from the tops of all the public buildings, and turbulently, to the friends of order, displayed by armed bands through all the thorough-fares of the metropolis. The insurgents are completely master, in every respect, of the "situation." The *pote-bulews*, (one word illegible) who two months ago did not number in effective strength more than 30,000 are now in armed force to the extent of 200,000. A population, exclusive of best perturagy (one word illegible) to themselves, of 1,500,000 is entirely under their control, and exposed to any horror which they may be ordered to practice. I feel as if I was over a volcano in a state of constant effervescence, and yet, such is use, I am as free from apprehensiveness as if I were reposing upon a bed of eider-down over in Windsor Castle.

In the wars of the Yankees against the South and the Prussians against the French I was furnished with a verification, (that which I doubted until the prosecution of the former) of the old Latin adage:—*Homo homini lupus.* In the ferociousness of the inhabitants of Paris, one against another, I see an ample corroboration of the brutalness(?) of men's nature; and almost despair of its Christianization.

We occasionally recur to the dark ages with a shudder at the enormity of the deeds then committed. But I incline to the opinion that a more (one word illegible altogether) age, in acts and purposes, than the present has seldom been witnessed on earth. The astonishing scientific discoveries of this century, so eminently calculated to contribute to the enjoyment and elevation and refinement of mankind, have been so employed as to produce a thousand devils instead of a solitary saint. In such a consummation Yankeedom has contributed more than its fair share. In its hypocritical engenderings and diabolical deeds the telegraph and steam have been its efficient instruments. Monstrous as was the hanging of Mary Dyer it was incomparably less inhuman in deliberate and cold blooded crime, than was the hanging of Mrs. Surratt. The burning of John Rodgers was not more cruel than either. Chillon, with its tortures, does not contrast disadvantageously with Fortress Monroe. From all that I behold here and elsewhere—near and afar—I fear that I shall have to quit this terrestrial sphere, be it sooner or later, with the conscientious belief that my generation is as bad—has as much of the *wolf* in its character—as had any generation of any time. Faith and Hope, however, shall not desert me. I

will even still trust that evil will be overpowered finally by good, and that it has been permitted to stalk forth audaciously and to revel victoriously as a means to its ultimate annihilation.

A bloody battle is at this instant progressing in the direction of Versailles. I distinctly hear the firing of artillery. I throw down my pen to make my daily round in the camp cavalry; the center of which is the Place Vendome. Beneath the towering columns is the stronghold of the National guards, who are on the side of the foreign factionists. The supreme hour is near at hand. Versailles must make concessions or Paris will be in flames.

3 o'clock.—What a world within itself is Paris! I have just returned from my wanderings. The weather is uncommonly fine, and every body seems disposed to enjoy it. What powers of adaptation to conditions in life these people have. They are a living, moving, acting, medley of strange contradictions. They are out in extraordinary numbers to-day—apparently as joyous as if nothing whatever was the matter with the public weal. They are as much embued, apparently, with the sentiment of *Liberte, Egalite, Fraternite* as if they were the offspring of a common heritage. None are well dressed; where all are usually well dressed at this season of the year. *Cast offs* and *thread-bares* are the fashion of the day's *Citoyen!* the laconic salutation. As I was approaching my door upon my return from the Champs Elysees, an old Count notorious for the elegance of his appointments approached me. He was so shabby from the sole of his foot to the crown of his head, that I at first supposed him to be a mendicant; and I so expressed myself. Ah! said he, my present garb is my protection; my only security is on my *appearing to be one of them.*—What a commentary upon an intelligent civilization!—

Ever since the commencement of the outbreak I have daily passed freely among the troops, even on the occupied places, without receiving the slightest mark of unkindness. They seem to be good natured fellows,—manifesting their natural characteristic of politeness to those who are not offensive to them. They tell me that they have had a glorious victory this morning, and that they are now sure of Versailles. It really so looks at this moment—M. Thiers is without an army, the loyalty of which he can confidently rely upon. The rank and file, fighting men, are taken from the humbler classes and it is not natural that they should array themselves against their fellows in deadly combat. The *International League*, with its extended ramifica-

tions in Western Europe, is exercising a mighty influence upon the *working men,* contributing largely to their general coalescence in France. Thus, the chances for the restoration of a *durable* monarchy are steadily decreasing. The Orleanists may manage to get back, but their retention of position will be ephemeral. Agrarianism is not beyond the pale of probability. The more ignorant of the *International League* are hopeful of a division of property. Their leaders do not avow openly such a purpose; still the *Commune* here, in one of its first official edicts, on the matter of house rent, placed the locataire (?) above the proprietaire, not only as concerned prospective payments but for rents due since the commencement of the war. But enough of this distracted and demoralized country.

If my hate were not so intense and implacable for the Federal Government, I would return to the South in June. I long to be within a convenient distance of you. I feel it would be the joy of my life to pass such delightful days with you as I passed here with Mrs. Davis and yourself. I have no definite plan yet marked out as respects my future course, except that I am determined to quit France. She is so fallen that I cannot contemplate her without the most saddening emotions. I shall stay to the end of her intestine struggle, if my life is so long spared.

Write to me, I pray you, at your earliest convenience, and, ask in my name the favor of Mrs. Davis to do so, to whom, and to each of your dear children, present my kindest regards.

Always Affectionately Your Friend,

A. Dudley Mann.

P.S.

Everette (?) has not been out of her bed for four months; she is dying of a cancer in the abdomen; for several weeks she has not been expected to live from one day to another. The last sacrament has been administered, and she says she is prepared for the change.

I have omitted to mention that poor Zemmitt (?) is gone. He fell a victim on the 103rd day of the siege to a voracious human, or rather inhuman, appetite. He was taken in the fulness of his lovely innocence. He seemed to have a foreknowledge of his approaching end in the constant manifestation of his affection for me. He acted out most beauteously, to the last, his noble character. His life was not sullied by a vicious or even mean act. In a word, he was super-feline.

endorsed: Ansd. 15th July '71.

John R. Green to Jefferson Davis.

(From Confederate Museum.)

Greenfield, Near Hopkinsville, Ky.
June 8, 1871.

Hon. Jefferson Davis,
Memphis, Tenn.

My dear Sir:

I took occasion to address you in 1861, as the President of the Confederacy, on the birth of my 9th son, who was born under the "stars and bars" whilst they were elevated at Hopkinsville, my county seat, assuring you, by permission of my good wife, that *she* would furnish a soldier for every year the war might last, which she did, and again, whilst you were in Prison at Ft. Monroe, to which your good lady replied, sending me your autograph, from that letter, I perceive she took me to be a Methodist Parson of the Church South, a harmless misconception.

I again obtrude on your privacy and attention, to express to you my admiration of your endurance, patriotism and tenacity, and philosophic bearing, whilst in the hands and at the mercy of the most unmitigated set of scoundrels on earth.

I saw in our County paper that you had promised to visit your birthplace. May we hope to pay you the homage, which you have merited and which comes from the heart, and not *because you have power or patronage?* The Confederacy is not dead but only sleepeth. After Nov. 1872, no Presidential election will ever be held in the U.S.

Yours truly and faithfully,
(Signed) JOHN. R. GREEN.

God and the Confederacy!

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Memphis 22d June 1871.

Maj. W. T. Walthall

My dear Sir, With sincere thanks for the kind consideration shown by the Mobile Franklin Society, I feel compelled to decline the invitation to deliver a public lecture before the Association. It surely would not be difficult with the freedom you allow in the selection of a subject to avoid any expression

which could fairly be used to the injury of my Southern friends, but it would hardly be possible under existing circumstances to prevent my words from being abused for such a purpose. Hopefully looking forward to the better day when such restraints shall no longer exist I beg you to make my acknowledgements acceptable to your associates, and to accept for yourself assurances of the high regard with which I am your friend

JEFFERSON DAVIS.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Memphis, Tenn., 3d Aug 1871.

My dear Sir.

I am on the eve of departure for Balto. whither some matters of the Co. call me. Before going I wish to return you my sincere thanks for your friendly defence at various times against the malignant and untiring scandalmongers who seek to rob [me] of the only thing the war left to me.

Enclosed I send a photograph taken in the clothes I wore when captured, every thing even to hat and boots being the same, and the only articles omitted were a waterproof cloak stolen by my captors and a large pr. of spurs supposed to have gone in the same way.

With my cordial good wishes for you and your's I am faithfully Your friend

JEFFERSON DAVIS.

Maj. W. T. Walthall.

Jefferson Davis to James Phelan

(From Manuscripts Division, Library of Congress.)

Barnum's Balto.
11th Aug. 1871.

My dear friend,

Your kind letter of yesterday has just reached me and I hasten to send you to the White Sulphur notice of my presence here. Mrs. Davis and our children are in the country I propose to go out this evening to return with them on Monday & then to go either to Cobbs Island or to the White Sulphur, which is to be decided in council.

I will as you suggest write to you fully at Huntsville but if you do not receive it when you reach Memphis you can learn all I know from my noble friend your son Geo. Like a true knight he came to me and offered his services with only the condition that I would use him as I would my own Son. I would rejoice to have such a Son. I felt the want of your advice and you will learn wherein my instincts did not correspond with the judgement of my friends—Give my love to your Daughter and to your companions—Thank Hunt, who I soon learned to regard as a friend and worthy sample of the true Southron. No gentleman in Memphis was to be found sustaining the scandal, and but one on whom I relied, dodged if he did no worse, at least it so seems, when all has passed.

Let me hear what are your plans and if it is consistent with them let us meet somewhere east of the ridge which once bounded civilization, and which the untravelled appear to think limits it yet.

As ever your friend

JEFFERSON DAVIS.

Hon James Phelan

Wm. B. Reed[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Confidential.

Orange, N. J.
September 18, 1871.

My dear Sir

I am sure you will attribute to the proper motive this intrusion on your privacy and not regard the suggestion that I make, in any sense, a liberty. In the seclusion and relative leisure in which I now find myself, occupied mainly with the education of my daughter, I have abundant opportunity for meditation on all sorts of subjects, agreeable and the reverse. Among them is one which is rarely absent from my mind—"the Dead Confed-

[1] Reed, William Bradford, (1806-1876), a historian, was born in Philadelphia, Pa., June 30, 1806, and graduated at the University of Pennsylvania in 1825. He was the private secretary of Joel R. Poinsett in Mexico, 1825-1827; practised law in Philadelphia after his return from Mexico; was attorney general of Pennsylvania in 1838; State senator in 1841; professor of American history in the University of Pennsylvania, 1850-1856; and minister to China, 1857-1858, where he negotiated an important treaty. Settling in New York, he devoted his time to authorship and was correspondent of the London Times. His writings were chiefly biographical and historical. He died in New York City, February 18, 1876.

eracy,'' your administration of it, and my own very ineffectual, and to me, in a material point of view, unhappy sympathy with it. Yet I would not, with all that has happened, change my opinions. That, however, I am free to say which most occupies my thoughts is the fear that the duty of history to the ''lost cause'' will not be discharged while those who only can tell the truth are living to tell it. Take your own case, who can do you justice but yourself—not in the way of autobiography, or vindication or apology, in fact by no prominence of your own in the matter—but in the way of giving him who tells the story the actual truth as you and you alone know it? I can think of no one among your counsellors who can do this, unless it be Mr. Benjamin, who is virtually an alien. Let people say what they please, anything known to come from you will be believed at home and abroad. I assume that your confidential archives exist somewhere, in fact I have heard from Mr. Harrison that they do. Valuable as they must be, they would need supervision such as you alone can give. But I surely need not urge this matter for I am confident you agree with me. General Lee once told me he meant to write the story of the army of northern Virginia and *he is gone.*

But I am not altogether unselfish and this is the part of my letter for which I ask your indulgence. In such a work I should like to help—in fact, under your eye, to give to it, for it might be the work of years, all my time and the rest of my active life. My ability you and others must judge of. My zeal and earnestness in the cause I know myself. I should ask none of the literary honours of such a work. In fact there are many inducements that occur to me to give it to the world anonymously. One of the reasons which induced me to relinquish, as I did voluntarily, Mr. Buchanan's biography, was the perplexity of which I was conscious arising from his attitude at the close of his administration. My private belief is that, if left to himself, he would have been truer to the South than he seemed to be. This however is aside. I can hardly think that for such a work a Southern residence is needed, for after all, New York or its neighborhood is the convenient centre and always accessible. My ideal of history is a high one. It is like building a great monument or church, to be looked at with pleasure or pain, for ages. It is very presumptuous for me to imagine that I am fit to be the architect of such a mausoleum as the honoured dead in this case deserves, but I should like to carry a trowel.

Think of all this 'impertinence,' my dear Sir, indulgently and pardon it as the restlessness of a mind which chafes at inactivity

and as I believe with all its trials is still fit for a good deal of hard work. When I just saw you that autumn afternoon at Fortress Monroe neither of us imagined the time would come when fortune's wheel would make such a turn as it has done!

My occupations here in the way of writing—chiefly for the Democratic organ at Washington, (for the World and I are not of accord on essentials)—are very intermittant. Such as they are I fear they will terminate in November, leaving me idle and what is worse, in need of work. The suggestions you kindly made as to Doctor Mackay came to naught, his views and mine about certain antique "rebels" not harmonizing. I sent you or Mrs. Davis a little book of mine which I hope you received.

Out of charity to your eyes, my daughter, who is in all my confidence gives me the benefit of her pen, and not knowing your precise whereabouts I enclose this sealed to Mr. Harrison. No one but my *Secretary* knows or shall know of this letter. Pray acknowledge its receipt as it is not such as should go astray. Of course no immediate decision will be expected by me.

Remember us kindly to Mrs. Davis and believe me always—

Your friend,

(Signed) William B. Reed.

Mr. Davis.

A. Dudley Mann to Jefferson Davis.

(From Confederate Memorial Hall.)

17 Boulevard de la Madeleine.
Paris, December 5, 1871.

My Ever Dear Friend:—

Long months have elapsed since my heart was so gladdened as in the perusal of your affectionate Letter of the 7th ultimo. To be so faithfully remembered by one who commands more of my esteem than any living man, my son excepted, is to me a source of as much joy as pride. Coincident in kind mercifulness you and he were communing with me the same day, perhaps at the same hour. The mail that brought me your thoughts brought me his also,—thoughts, I may add, identical in all that related to the condition of the South and the atrocities of the Executive of the so-called "Union."

While I can perceive no indication, closely as I watch the signs of the times, of an early change for the better, in the wilful oppression of our overpowered land, I have, nevertheless,

an abiding confidence that, in His good time, the Almighty is as certain to deliver us from evil as that He reigns in Heaven and rules the earth. It is enough for me, to be satisfied in this belief, that His Justice never sleeps, and His Mercy never tires. But "how long oh! Lord! How long" until the manifestation in our behalf of the one and the other? Thou alone knowest and if Thy wisdom be more perfect in one thing than in another, it is in the concealment of Thy purposes from human beings.

In the destruction of Chicago there has not been such a demonstration of Divine vengeance since the destruction of Sodom and Gomorrah. It was there that the rowdy Lincoln, the prime official agent of all our woes was nominated: It was there that the evil spirit, in the Zouaves of Eldridge, had its origin: In a word, it was there that vice, politically and morally, was more honored in the observance than in the breach.

Seven years, to the very day, after the laying waste of the Valley of the Shendandoah, by the fiendish Sheridan, acting under the orders of a not less fiendish superior, a conflagration occurs in the "wicked city" which not only amazes the world by its unrestrained devourings, but in its results establishes the fact that the loss of property, in pecuniary value, exceeds all the losses of the earth for five centuries by the element of fire.— Michigan and Minnesota, too, have experienced the severity of the retribution of the war demon in Virginia, which revelled in the worse than savage intention of such demolition of every article of food as would not leave a sufficiency for the sustenance of a solitary crow.

Can I, my beloved friend, in the presence of such convincing proof, together with the fall of Lincoln by the hand of a maniac, hesitate to cherish the opinion expressed by Horace?—

Ravo antecedentem scelestium
Dezevuit pede Poena claudo.

This is the constant hope of my head, and, as far as is concerned, the religion of my heart.

Decidedly the true patriots of the South should not engage, either in word or deed, in the next Presidential election. In the language of the sublime prophet, *"Their strength is to stand still."* For them to affiliate with the self-styled democracy of the North would be the affiliation of purity with corruption. If possible I am more than ever convinced that, except in rare instances, there is no such sentiment in that party as a sense of obligation to the original Federal Compact. The "New De-

parture'' was so low a descent from principle as to reach the extreme depths of political profligacy. It was simply a shameful, bare-faced, disgusting, virtual acknowledgment that the animating and actuating motive of its contrivers and adherents was the lust of office. The longer such disgraceful tricksters are kept out of power, and its attendant exorbitant emoluments, the fiercer they will become against the existing Federal System of government; and will, naturally, not from affection but from unappeased venality array themselves on the side of the Rights of the States.

In this manner the *difficulty* of the Union may be hastened. That *difficulty,* however prepared, the South will assuredly avail of, as her *opportunity.*

Though a silent spectator of events I need not inform you that I am an attentive one. Through life I have observed the motto of Apelles—*Nulla dies sine linea;* and, consequently, will be ready, whenever a propitious moment shall arrive, to employ every thing to the best advantage for our care-worn and sorrowing people. I consider myself as much your and their representative, not officially but officiously, as ever; and I am exceedingly hopeful that the time will come when you and they will applaud, (as you have already approved) of my sojourn here during the horrors of the siege and the Commune. I scarcely need be more explicit; but lest this should be intercepted, which is not likely, I will state that I am incapable of conspiring to upset the ''Union,'' but if the ''Union'' in its reckless career, shall in its already rickety condition upset itself I will, with the utmost alacrity, endeavor to make the most of the event in Western Europe in behalf of the Confederate States.

In this connection I may remark that Americans, (by which I mean Northerners) are in no favor at Versailles, while the ''*Republic of the United States,*'' from its monstrous doings, is well nigh a millstone around the neck of the moderate sensible republicans of France.

Order continues to prevail throughout France. So far the astute Thiers has been equal to his position His chief qualification is his knowledge of French character. He is not smaller in person that he is small in all the adorning qualities of a true statesman, but for the time his cunning supplies the deficiency. While I cannot admire him he excites my interest in his success, and all the more as he is a good hater of Yankeedom.—I refrain, more from want of space than inclination, to touch upon European polities generally, to-day. My next shall be mainly devoted to the subject.

I had a most pleasant interview with Miss Vance. A request from yourself I always observe as a command, and apart from the interest which she herself inspires I shall endeavor to contribute all in my power to render her happy while separated from her family and her home. She is making rapid progress in French, and otherwise, and the head of the institution assured me that she had already won the esteem and enlisted the cordial good wishes of herself and her assistants. I have secured her promise to regard me as though she had known me familiarly from her earliest recollections. She is in fine health; and I have promised her a joyous Christmas.

I am pained by your telling me that my good friend, Miss Maggie, is in such indifferent health. I trust however that, under judicious treatment, your next will report to me her complete restoration. May God so grant. I presume that ere this Mrs. Davis and your children have joined you. Pray present my ever cordial regards to herself and my love to each of them. The glorious Divine Anniversary I trust will find you all as happy as under the circumstances of such a governmental rule as you are submitted to, you can reasonably desire. Pray write to me at your earliest convenience, and say to good Mrs. Davis that I should be rejoiced if she would let her long prized and nimble pen loose again in correspondence with me.

Ever yours with All my Heart,

AMBROSE DUDLEY MANN.

endorsed: A. D. Mann.

A. Dudley Mann to Jefferson Davis.

(From Confederate Memorial Hall.)

17 Boulevard de la Madeleine.
Paris, January 19, 1872.

My Ever Dearest Friend:—

How strikingly you appear to my vision, as I contemplated you just three years ago in the little chamber in which I write! Here, on the Sabbath morn, we worshipped together, and alone, at that time, the Redeemer of the human race, in a spirit as sincere, and otherwise becoming, that I have felt that He was *with* us and to *bless us—with us* to encourage us to patiently bear His Cross and to *bless us* in preparation for that happy

Eternity which His Wisdom erected and His Omnipresence will ever adorn. Sacred recollections! I shall carry them with me to the tomb of my mortal existence.—— I may add that I regularly continue to perform my devotional services in secret, and that in my prayers I never fail to invoke His choicest blessings upon yourself, Mrs. Davis, and each of your children,—as well for your future as your temporal happiness. It is proper that I should thus freely confess to you the animating characteristic of my mindfulness of you and yours, when I see so little prospect of our ever meeting again, for really I can perceive nothing whatever in the once fair South to *go to* but the increasing demoralization of her population. The heartless venality of the North seems to be of willing emulation by many of her once most honored citizens. I can hardly expect you, ardently as I desire it, to leave your affairs to come to Europe.

Yesterday I visited Miss Lillie Vance. I found her quite well and contented. She is progressing admirably in her studies,—to the entire satisfaction of her teachers. I take a deep interest in her, and renewed the assurance of my desire to serve her in any manner that she may indicate. She informed me that in her Letters from home, of recent date, she had been advised of your well-being. I trust most confidently, as I have heard nothing to the contrary, that the health of dear Miss Maggie has been completely re-established, and that your little family circle is in the enjoyment of all the natural blessings of life. Memphis, of itself, may be dull to Mrs. Davis, but when you are with her the want of a more enlarged society necessarily disappears in your presence.

I see not so much as the shadow of a chance for the defeat of Grant in November, nor do I think such an occurence desirable in the political interests of the few remaining true patriots of the South. Wicked as is his rule I prefer its continued existence as the surest means of creating wide-spread and ultimate formidable disaffection to the "Federal Union."

I want to see that infamous form of government, as it exists under the amendments to the Constitution and the laws for carrying those amendments into effect, utterly annihilated; and I can conceive no method so sure as that of withholding the spoils of office from the voracious outsiders of the North, until they rebel for their acquisition. Tweed is the best representative of Northern democracy that exists. The crime of his roguery is the common crime of his party.

Here in France order is again supreme. The late elections

have resulted most favorably in behalf of the cause of the "Moderate Republic." They are considered as fatal to the "Restorationists" of every shade. The country appears to be settling down into two republican parties,—the "Moderate" and the "Radical"—as they are now generally designated. I need not remark that all my sympathies as in 1848, are with the former. I indulge the belief that it will work out, in due time, such a system of judicious self-rule as we would have displayed for the admiration of mankind if we had possessed the strength to maintain our independence. Pray write to me. You know now what thrills of joy a Letter from you afford me. Yours with all my heart,

A. Dudley Mann.

Ex-President Davis.

Jefferson Davis to A. A. Humphreys.

(From Confederate Museum.)

Memphis, Tenn.
15th Feby. 1872.

Gen. A. A. Humphreys,
Chief of U. S. Engns., etc.,
Sir:

Allow me to ask your attention to the enclosed extract from an Address by Hon. Wm. D. Kelly on the "Northern Pacific Railway" delivered in Philadelphia, 12th June, 1871 and circulated in pamphlet form.

As you and I were associated in the examination of the reports of Explorations for a practicable R. R. route to the Pacific ocean, and because the seizure of my Library in Miss. during the late war has left me nothing to which I can refer to refute the assertions of Mr. Kelly, I venture to request of you a statement of the facts bearing on the case presented. It will be observed that the comparison of the route advocated by Mr. Kelly, "with all of its competitors" was made by him to show a part of what was promised, and stopped so as to exclude that, which we found and reported to be the most eligible of all those surveyed. I remember the defects of Gov. Stevens' report were such as to cause him to withdraw it, and that his map had to be reconstructed so as to bring his line within the limits of the U. S.; but am now for the first time informed that there has ever existed a process, by which a Secty. alters the estimate of

an Engineer, by merely striking out the total, and inserting as the sum, a number which may please him better, than that found by the addition of the items.

Very Respectfully Yours, etc.,
JEFFERSON DAVIS.

A. Dudley Mann to Jefferson Davis.

(From Confederate Memorial Hall.)

17 Boulevard de la Madeleine,
Paris, February 16, 1872.

My ever Dearest Friend:—

All the officials of the United States connected with the arbitration at Geneva are here nearly within a stone's throw of me. Naturally I see some of them, but I have two French acquaintances who are in frequent communication with one or another of the number. Cushing expresses himself, emphatically, that the United States will not recede in the slightest degree from the *Case* which they have prepared for arbitrament, and that if Great Britain adheres to the position which she has assumed war is inevitable.

In view of the antecedents of the concern at Washington and of the unscrupulousness of C. in all that relates to integrity of conviction, I receive such assertions with a large amount of incredulity.

Beyond doubt Great Britain is resolute in her purpose to resist, *vi-et-armis*, if necessary, the recognition of the disgraceful pretension of the United States as articled in the *Case*. The peace-party have thrust themselves into the foreground in opposition to such pretension; and are ready to fight.

The navy of Great Britain is believed to be in a better condition than it ever was before. I am asked by eminent Englishmen, how will the South act in the event of a conflict? My reply is uniform: "When you strike you will see. The manner of your action will influence decision." I have been less reserved in the expression of my opinion as to the manner in which they would employ their fleets to the best advantage.

Can I mistake the South in supposing that the *difficulty* of the North (by which I mean the socalled Union) would be embraced as her *opportunity?* If her ports were blockaded, and her seaboard hemmed in by British vessels, would she not avail

herself of the auspicious occurrence to endeavor to effect her utter deliverance from tormenting Yankee thralldom? The North evidently fears, as Great Britain wishes to confidently expect, that such will be the case.

Mean time a well controlled silence upon the subject is the true policy of our people. I shall be in a way to be well informed of all that is transpiring on this side of the water, and if any thing of momentous importance is likely to manifest itself you may be sure that you will be speedily informed thereof.

I have reasons, for security's sake, to convey this to you through my son. I know that all the United States' officials here, as well those permanent as transient, are curious to know what I am about, and that curiosity may prompt the opening of any letter directed to yourself.

Some days have elapsed since I saw Mrs. Lallie Vance. I design a visit to her next Thursday.

I trust that Mrs. Davis is quite well and that Miss Maggie has entirely recovered from the affliction to which she was subjected when you last wrote. That health and happiness may be the inseparable attendants of yourself, Mrs. Davis, and each of your children, is the constant ardent wish of one who loves to subscribe himself

Your Affectionate Friend,
A. Dudley Mann.

A. A. Humphreys to Jefferson Davis.

(From Confederate Museum.)

Enclosure. Washington, Feby. 22 /72.

My dear Mr. Davis,

I have just received your note of the 16th inst. and its enclosure. Perhaps the enclosed memorandum will serve as a basis for a refutation of Mr. Kelly's statement, and as the material for it is in print, widely circulated, it may not be necessary for me to appear in the reply in the first person, although I am quite ready to do so if you deem it necessary. Should Mr. Kelly deny the correctness of the Statement I enclose I will myself correct him publicly.

The sight of your handwriting again after the lapse of so many years brought back vivid recollections of the brightest part of my life, to which we often recur in my family—your kind

messages to whom will be very acceptable, particularly that to my sister.

With kindest regards to Mrs. Davis, believe me, as ever,

sincerely your friend

(Signed) A. A. HUMPHREYS

Hon. Jefferson Davis,
Memphis, Tenn.

Make any reference to me for the correctness of the statement that may be thought desirable. A. A. H.

Copy of enclosure follows:

My attention has recently been drawn to an address delivered in Philadelphia on the 12th June 1871, by the Hon. W. D. Kelly, on the Northern Pacific Railway, in which it is stated that "so startling were the advantages presented by this route, that the then Secretary of War, Jefferson Davis, struck from the report of Governer Stevens, since so distinguished as a soldier and engineer, the estimate he presented of the cost, which was $117,120,000 and inserted in lieu thereof $130,781,000."

Capt, now Genl., A. A. Humphreys had the general charge under the direction of the Secretary of War, of the Pacific R. R. Explorations, and submitted a report upon all the routes. The figures quoted by the Hon. W. D. Kelly as appearing in the report of the Secretary of War, form also a part of the report of Capt. Humphreys.

The estimate of Gov. Stevens was not stricken from his report, nor was a single figure, word or letter stricken from or added to it. It was sent to Congress exactly as it was received from Gov. Stevens and was printed exactly as it was prepared by him. His estimate of the cost will be found on pages 144 and 145 of Vol. 1 Pacific R. R. Repts., the same volume that contains the report of the Secretary of War, and of Capt. Humphreys.

The Table of lengths, sum of ascents and descents, cost, &c., of all the routes, appended to the report of the Secretary of War, page 31 Vol 1, was taken from Capt. Humphreys' report and was prepared by him. The Secretary of War knew nothing of the Table until it was submitted to him by Capt. Humphreys, notes and all.

The Table in the report of Capt. Humphreys is found on page 107, vol. 1. These tables have explanatory foot notes, the first being as follows. "These are the estimates of the Office, those of Gov. Stevens having been brought to the same standard of

increased cost as the other routes, and his equipment reduced to that of the other routes. His estimates were $117,121,000, and $7,030,000.'' In the table of Capt. Humphreys' report the figures are ''$117,121,000 and $110,091,000.''

The route of the 32d parallel is proved in the report of Capt. Humphreys to be the shortest and least costly of all the routes.

Jefferson Davis to Fred Beall.[1]

(From Confederate Museum.)

Memphis, Tenn.
March 4, 1872.

Fred. Beall Esq.,
Okalona, Miss.

Dear Sir:

I have the honor to acknowledge the receipt of your letter of the 9th ult., drawing my attention to an address on the Northern Pacific Railroad delivered in Philadelphia last June by Mr. Wm. D. Kelly, in which it is said that ''so startling were the advantages posessed by this route (from Duluth to Puget Sound) that the then Secretary of War, Jefferson Davis, struck from the report of Governor Stevens, since so distinguished as a soldier and engineer, the estimate he presented of the cost, which was $117,121,000 and inserted in lieu thereof $130,-781,000.''

I could have answered you immediately by an assurance that Mr. Kelly's statement is wholly destitute of truth, but I thought it better to delay my reply until I could furnish you with the facts. I could only do this by a reference to the official documents, and this has taken some time as I was obliged to collect them from others, the seizure of my library during the late war having deprived me of the means of doing so by a reference to my own books and papers.

I can well understand how Mr. Kelly may have an interest in proving that ''from Duluth to a point on Puget Sound is Nature's own route for a Pacific Railroad;'' but I cannot understand why he should refer to the official reports of the explorations made while I was Secretary of War, unless he supposed that his hearers would never examine those reports for them-

[1] A Mississippi Confederate soldier; now a lawyer in active practice in Washington.

selves, and, therefore never discover that so far from demonstrating the "startling advantages" of the route from Duluth to Puget Sound, they proved conclusively the reverse. Nor do I see how the wilfully false statement in regard to myself could strengthen his case unless he supposed that I should never see the slander, or seeing it should not consider it worthy of notice.

Under my direction as Secretary of War, Capt., now General, A. A. Humphreys had the general charge of the Pacific Railroad Explorations, and submitted a report upon all the routes. The figures quoted by Mr. Kelly as appearing in my report also form a part of the report of Capt. Humphreys.

All the reports, that of the Secretary of War, that of Capt. Humphreys, that of Governor Stevens, and the reports of other officers, with that survey, are to be found in the first volume of the Pacific Railroad Reports, Published by order of the Senate of the United States. On pages 144 and 145 of that volume, Governor Stevens' Estimate of the cost of the various proposed routes will be found. Not a figure, word, or letter was stricken from or added to it. It was sent to Congress exactly as it was received from Governor Stevens and printed exactly as it was prepared by him.

The table of lengths, sum of ascents and descents, cost etc. of all the routes, which will be found appended to my report (Vol I, page 31) was taken from Capt. Humphreys report and was prepared for me by him. The same table substantially will be found in Capt. Humphreys' Report (Vol I, page 107) with explanatory footnotes, being the same as that attached to the table appended to my report, the first of which is as follows:

"These are the estimates of the office, those of Governor Stevens having been brought to the same standard of increased cost as the other routes, and his equipment reduced to that of the other routes. His estimates were $117,121,000 and $7,030,000."

Capt. Humphreys in making his own estimate of the comparative cost of all the proposed routes was necessarily compelled to establish a uniform standard which was applied to all the estimates.

You will see from the foregoing that Mr. Kelly made an unfounded statement when he said that I caused Governor Steven's estimate to be stricken from his report and other figures inserted in their place, and you will also see that in preparing his address Mr. Kelly must have consulted the official volume of Reports to which I have referred, and therefore made the statement knowing it to be false.

In the very able report of Capt. Humphreys, he proves that

the route of the 32d parallel is much the shortest and least costly and most practicable of all the routes, and the experience of the past winter gives material strength to his argument. But it did not suit Mr. Kelly's purpose in demonstrating the "startling advantages" of the route from Duluth to Puget Sound, to make any reference to General Humphreys' opinions. He seems to have preferred to garble public documents, suppress truth, and by way of emphasis, resort to deliberate slander.

I remember perfectly that Governor Stevens' report was very defective in many particulars so much so that he asked leave to withdraw it in order by the assistance of the officers of the Coast Survey, to reconstruct the map of his survey so as to bring his line within the limit of the United States, that, first presented having been found to run for some distance through British Territory. But such as it was it was presented to Congress and printed.

With many thanks for your kind interest and good wishes, I remain, Very truly and respectfully yours,

(Not signed) [1]

W. D. Northend [2] *to Jefferson Davis.*

(From Confederate Museum.)

Salem Mass
March 25, 1872

My dear Sir,

I feel it my duty to write you to thank you for your great kindness whilst at Memphis. I shall ever remember it with gratitude.

I do not find as I expected to copy of Dwight's Hartford Convention but will get one when I next go to Boston and mail it to you.

It has seemed to me that your people never made the use of the course of New England in the war of 1812 which was most profitable. Even Hayne in his discussion with Webster failed to get hold of the real point of it. New England then claimed every right that the South claimed in the late struggle, and

[1] This letter is written on old-fashioned reporters' paper, with a pencil. It is not in Mr. Davis' hand writing and seems to have been a first draft dictated to some one, judging by the erasures which are indicated in this copy.

[2] Lawyer and author, graduate of Bowdoin College class of 1843; in Massachusetts Senate, 1861-62; born 1823, died 1902.

in its address gave the reasons as well and strongly as they have ever been put.

Secession was then claimed as a remedy and the only one. It was not seriously controverted anywhere only the rest of the Country deemed New England specially mean to avail herself of it in the dark hours of a foreign war.

If this strikes you as it does me and you wish it I will be glad to elaborate on the subject at some time hereafter. Will you if you have not look over the extracts in the last article but one in the volume I sent you. If you have mislaid it I will be glad to send you another copy. It was an article originally published in the Southern Review.

Will you please to remember me to Mrs. D. and your children.

Yours very resply.

(Signed) W. D. NORTHEND.

P.S. You spoke to me of having lost some dates. Did you ever see the "Rebellion Record"—a serial published during the war in which was most everything on both sides. It is now in several volumes but I can get it for you if you wish.

(Signed) W. D. N.

A. T. Bledsoe to Jefferson Davis.

(From Confederate Museum.)

Baltimore, April 14, 1872.

My dear Mr. Davis:

I have this moment received your kind note of the 3d instant, having been absent from home, in St. Louis, when it reached this place.

You say you have been informed, that the volumes to be sent to Boyle & Chapman "have never arrived, nor has any notice of their shipment been received." They were shipped; and, not receiving any reply to my letter of advice, I wrote again to Messrs. Boyle & Chapman. They then acknowledged the receipt of them; and said they would sell them if possible, though they anticipated a slow sale. This was some six months ago; but I suppose they have forgotten all about them (50 volumes). This was as I had anticipated, judging from my past experience in relation to that work, I am not at all disappointed.

I also wrote to General Gordon, in relation to the "Miscel-

lanies'', and to the ''School History'', but I have received no answer. *N'importe;* but I have concluded to use them as materials, in the construction of the first volume of my ''History of the Late War''. This will be a history of the two Sections, from the inception of ''the more perfect Union'' until its disruption in 1861, when the war of words, passions, and legislation burst into the war of arms. The second volume will contain a history of the War itself, or of its great battles, etc., etc. Arrangements have already been made for the publication of this history. It will be the last, and, if possible, it shall be the greatest work of my life.

I was in Lexington, Ky., the other day, and had most delightful interviews with General Breckenridge, General Preston, and other friends of ''The great Cause''.

I shall be glad of any assistance you can give me, in the way of information, in the preparation of my history of the War. I will see you for that purpose.

Very truly and respectfully,
(Signed) A. T. Bledsoe.

James L. D. Morrison to Jefferson Davis.

(From Confederate Memorial Hall.)

Washington City, April 19th 1872.

Col. Jefferson Davis,
Dear Sir,

As an old companion in the Mexican campaign terminating at Buena Vista with so much honor to Illinois and Mississippi, I take great pleasure in restoring to its rightful owner the enclosed commission.

The memories of earlier and better days which must be recalled by its presence, will I trust lose none of their sad pleasure to you, from the fact that its rightful restoration is due to my son William Edgar Morrison, the nephew and namesake of your old companion William E. Morrison of Kaskaskia of the 6th Infantry.

Very Respectfully
Your obt. Svt.
Jas. L. D. Morrison

endorsed:
Col: Jas. L. D. Morrison; ansd. 22d April '72.

P. M. B. Young[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

House of Representatives.
Washington, D. C. April 19, 1872.

My dear Mr. Davis,

Col. Morrison requests me to enclose to you, your commission as Lieutenant in the U. S. army.

I am happy that it does not grace the walls of some "truly loyal" New England Yankee, but has found its way, after so long a time to its owner, who has reflected so much honor upon the illustrious names borne upon its face.

I am Sir with great respect
P. M. B. YOUNG

R. D. Locke to Jefferson Davis.

(From Confederate Museum.)

Eufaula Alabama
May 19th 1872.

Hon. Jefferson Davis,
Dear Sir:

If consistent with your pleasure will you please inform me whether so much of the enclosed article, to "Editors Telegraph and Messenger," as relates to Horace Greeley's being solicited, by Mrs. Davis, to sign your bond, be true?

Respectfully an ex-Confederate,
and still your true friend
(Signed) R. D. LOCKE,

[1] Young, Pierce Manning Butler (1839-1896), a soldier and legislator, was born at Spartanburg, S. C., November 15, 1839, attended the Georgia Military Institute and was a cadet at West Point about to graduate when the civil war began. He served in the Georgia artillery at the beginning of the war; was subsequently attached to the staff of General Bragg; was promoted major in September 1861; lieutenant colonel two months later; brigadier-general in October, 1863; and major-general, December 30, 1864. He was closely associated with Stuart and Hampton, and made a substantial reputation as a cavalry officer. He was a member of the national House of Representatives from March 4, 1867, to March 3, 1869, and from March 4, 1873, to March 3, 1875; was a Commissioner to the Paris Exposition of 1878; consul general at St. Petersburg from 1885 to 1887; and was appointed Minister to Guatemala and Honduras, in 1893. He died in New York City, July 6, 1896.

Copy of clipping follows:

Mrs. Davis and Mr. Greeley—A Truthful Scrap of History.

The accompanying communication comes from a source of the most unquestionable authenticity, and reflects honor upon the nominee of the Cincinnati Convention. No true Southern man can peruse it with unmoistened eye, and the rebuke to Mr. Voorhees is most withering and complete:

Editor Telegraph and Messenger: Mr. Voorhees in his recent attack on Mr. Greeley, styled his signing of Mr. Davis' bond "an impertinent interference." Allow me to give you the true history of that matter as I recently learned it in New York, from a gentleman who knew all about it. Mrs. Davis went to New York to consult Charles O'Connor, Mr. Davis' counsel, as to the best manner of effecting his release from prison. Mr. O'Connor told her that in his opinion there was but one way that it could be done, and that was to get the representative man of the Republican party to sign his bond. Mrs. Davis inquired who that man was. Mr. O'Connor replied that it was Horace Greeley. She then asked him if he would not see Mr. Greeley and get him to do it. He replied that he had no influence with Mr. Greeley and that she was the proper person to see him. She said she would go and see him. She went to his office, sent in her card and was invited into his private office. She said to him: "Mr. Greeley, my husband is confined in a casemate at Fortress Monroe. He has been there for many long, weary months. He is a feeble old man, and he is gradually sinking under his rigorous imprisonment. He will die if he remains there much longer. I came here to consult Mr. O'Connor as to the means of getting him released. He has told me that there is but one way to do it, and that is to get the representative man of the Republican party to sign his bond, and says that you are that man. He has advised me to apply to you. He says that you have a kind heart, and that you will do it if you believe it to be right. My husband is dying. Mr. Greeley may I hope that you will favorably consider my application?"

Mr. Greeley arose, extended his hand to Mrs. Davis, and said: "Madame, you may, for I will sign his bond." Mr. Greeley was then a prominent candidate before the Legislature for the United States Senate. Some of his friends heard that he had agreed to sign Mr. Davis' bond. They went to him and protested against it. They told him that they had made a count,

and that he would be elected by six majority, but if he signed this bond, it would defeat him. He replied, "I know it will." They told him that he was one of the editors of the Tribune, and if he signed this bond he would lose thousands of subscribers. He replied, "I know it." They said: "Mr. Greeley, you have written a history of the war, one volume you have out, and have sold large numbers of it. Your second volume is nearly out and you have large orders for that. If you sign this bond, these orders will be countermanded, and you will lose a large amount of money. He replied: "Gentlemen, I know it, but it is right and I'll do it." He did do it, and I am informed that he lost a seat in the United States Senate and over thirty thousand dollars. To my mind this does not look like "impertinent interference." * * * * * *

James Lyons[1] *to Jefferson Davis.*

(From Confederate Museum.)

Richmond

Honbl Jefferson Davis. June 9 1872

My dear Mr. Davis

I wrote the enclosed letter to Col. Mosby in reply to one from him and he sent it to the Press[2]—In an evening Paper, of last evening I read a statement that you are in favour of Greeley—I regret that it is so, if it is, but I know that it proceeds from that noble trait of grateful fidelity to a friend which is so

[1] James Lyons was born in Hanover Co., Va., in 1801. He was graduated at William and Mary College in 1817 and settled in Richmond to practice law. In 1824 he was sent to New York to arrange with Lafayette for his visit to Virginia. In politics he was an ardent Whig, and drew the Virginia Whig address in 1840 pledging the Whig party against a bank and prohibitive tariff.

On the death of John Tyler in 1862 he was elected in his place to the House of Representatives of the Confederate Congress and later was appointed a Judge to try political prisoners.

After the War he practiced his profession in Richmond, and was one of the leading citizens. See Tyler's "Cyclopedia of Biography" III, 41.

[2] Richmond, Va., June 4, 1872.

To Col. John S. Mosby, Warrenton, Va.

My dear Colonel—To your favor of the 3d instant I reply promptly, that I read your letter to Babcock with pleasure, and concur entirely in the political views expressed in it.

I have taken no part in politics since the war, except to give a quiet vote, when permitted, for the candidates brought forward by what has

marked a trait of your character and to which you have sacrificed so much—

I am sure that you will not believe for a moment, that I intended to reflect in the slightest degree upon your acts or mo-

been called the Conservative Party of this State, and the National Democratic Party, but I have no hesitation in giving utterance to my opinion now, because I think that the exigency requires every man to speak out.

I cannot vote for Horace Greeley under any circumstances which I can imagine as likely to occur.

A few discontented Radicals, who united in the war upon the South and upon that principle of local government to which they profess to be now so much attached; who had no words of sympathy for us, while we of the South were the only victims of insolent and brutal power; quarrelled with the President because he chose others for his advisers and managers, and because the measures framed to oppress us now bear upon them; who had not one touch of sympathy for Mr. Davis while he was in prison, or raised a finger to avert the fate of the murdered Surratt, put their sore heads together in a mass meeting, as they called it, in Cincinnati, professing a purpose to be governed by principles and patriotism alone, and scouting, through their most brilliant organ, the idea that they meant to select a man simply because he could beat Grant; and after as shameless a bargain as ever was made by the men selected as their first and second officers, all their principles and all their patriotism and all their wisdom evaporated, leaving as the residuum Horace Greeley—the life-long enemy of all our principles; and they call upon us, the Democrats of the country, who were carefully excluded from the mysterious assemblage, to support him and vote for him, and make him President of the United States.

The reasons assigned by the press which support him are, first, that he is a Liberal Republican; second, that he is in favor of amnesty; third, that he is willing to let the people have a protective tariff, if they choose; fourth, that he was one of Mr. Davis's bail; fifth, that he is opposed to a central power, and in favor of local governments; and lastly, and above all, he can beat Grant.

Before I consider these reasons, let us consider who Mr. Greeley was before the nomination.

The answer is, that he was the most absurd ismatic in the world;

That he was, throughout his whole life, the most bitter enemy of the South and the Democratic party;

That, believing the war upon us to be wrong, he urged, nevertheless, that it should be sharp, short and decisive, our lands desolated, and the wives and children of our soldiers made ragged paupers. Hear his words: "When the rebellious traitors are overwhelmed in the field, and scattered like leaves before an angry wind, it must not be to return to peaceful and contented homes. They must find poverty at their firesides, and see privation in the anxious eyes of mothers, and the rags of children."

He aided to elect General Grant, and supported every measure of his administration which has been offensive to the country—Ku-klux, bayonet rule and all—and has never to this day recanted one single opinion or expressed regret for one single act; and aided more than any man living, unless William H. Seward be an exception, to bring on the war and all the subsequent evils under which the South suffers or has suffered, and he still advocates negro equality with white people even to mixed schools.

It would seem to me that the South had better bear over again all that she has borne rather than, by her votes, place such a man in the Presidential chair; for, judging him by his past conduct, by which alone he can be judged, she can have nothing to hope from him but an aggravation of her sufferings, while his election must be regarded, not as the

tives, but still I shall feel better for assuring you that I did not—

I regret to differ with you about anything, but with my opinions of Greeley I cannot vote for him

Imogen, who has just come in desires me to send her love

reward of merit or tribute to ability and attainment, for he has neither, but as holding out the temptation to every selfish and unprincipled man in the country to involve it in trouble and distress as a means of acquiring power and pre-eminence.

Such was the temper which actuated the leading spirits of the French revolution in '92, and especially of him who acquired supreme power by it. Shall we follow that example?

Now, as to the reasons urged in behalf of the wood-chopper of Chappaqua, as they call him:

1. He is a Liberal Republican. What is a Liberal Republican? As far as I can judge by the conduct of the leaders, he is a discontented, disappointed Radical, who is out of office and wants to get in, with a determination to turn out and keep out all who don't belong to his set of Liberal Republicans.

2. He is in favor of amnesty. We have as much amnesty as we are likely to get while the Republicans in any degree hold the control of Congress, and if we have not, how is Mr. Greeley to aid us, since the subject is under the control of Congress, and not of the President, by the fourteenth amendment, which Mr. Greeley supported and approved?

But when did "amnesty" become a cardinal measure of the Conservatives of Virginia? Very recently, I suppose, for when the last convention met in Richmond, they would not allow it to be proposed or spoken of.

3. He is willing to let the people have a protective tariff if they choose. Wonderful!

Isn't every other man willing to say the same thing? Can any man prevent it except by a veto? which is not to be expected of Mr. Greeley; or, can a President make a tariff?

4. He was one of Mr. Davis's bail. True; and for any kindness shown to Mr. Davis, from a proper motive, nobody would give him more cordial thanks than I, but as even charity is but the work of a Pharisee, if bestowed ostentatiously and from an improper motive, so was this matter of bail; for when impeached for it, Mr. Greely avowed that it was done not to serve Mr. Davis, but to save the Republican party; and, as if he had been speaking of shooting a dog, or giving away a horse or a hundred dollars, he said the Republican party can't afford to hang Jefferson Davis. Which was as much as to say they might have hung him with pleasure if they could have made anything by it. But do men of sense and reflection really expect that that consideration is to induce men to renounce their principles and surrender their country to the rule of a trickster? They know little of Jefferson Davis's lofty character who don't know, that he would despise the man who did it.

5. He is opposed to a central power and in favor of a local government. What is the meaning of these words, I confess, I do not comprehend. Certainly they do not mean opposition to a strong Federal government and favor to strong State government; for it would have been the easiest thing in the world to have said so, and to have left no doubt, but Mr. Greeley, in his commentary upon, and his amplification of, the Cincinnati platform, expressly declares that he is in favor of preserving all that power of the Federal government from which the bayonet rule springs, and which this talk of local government is supposed to strike at.

Hear his words: "That subject to our solemn constitutional obligations

to Mrs. Davis and the children (as well as to you) in which I beg permission to unite

When you have some times a spare moment it would afford me pleasure to hear from you.

Where will you be this Summer?

Very truly yours
(Signed) JAMES LYONS

to maintain the equal rights of all citizens, our policy should *aim* at local self-government, and not at centralization."

"But he can beat Grant." That is, in reality, the sum of all the reasons.

I don't believe he can, but if he can that is no argument in his favor with me.

General Grant, it is true, has fallen greatly below his high calling, and lost the opportunity, never to be reclaimed, perhaps, to make for himself, by a lofty and magnanimous administration, a fame almost second to Washington.

If, after the conquest, when all the "bruised arms were hung up for monuments, and the swords converted into plough-shares," he had bound up the bleeding wounds of his country; restored peace and confidence; made himself the President of the nation, and not of a party, as he promised to do, prosperity would have followed; the asperity of the war would have been subdued, and a grateful people would have hailed him as deliverer and not as oppressor—delivered from the very evils and misfortunes which Mr. Greeley had been laboring for twenty years to produce; but in an unhappy hour, both for him and his country, the counsels of bad men prevailed, (many of whom denounce him), and one of the most disastrous effects is that which we now behold—of large bodies of the people, in terror of him, flying to the miserable Ismatic of the *Tribune* in the hope to find safety under his white coat.

I will not vote for Grant if I can avoid it; if I am not forced to choose between him and Greeley; but between them I will vote for him, although he went into the war and fought it out, and by the aid of foreign levies conquered the South and suppressed the constitution; yet, he did not, like Greeley, labor for twenty years to get it up, and then stay at home to fan and urge the flame.

We know, too, the worst of Grant's administration. It is past. If there be any returning sense of justice in the Republicans, they will do that justice even if Grant be President, and, controlling Congress, will prevent mischief; if they will not, they are unfit to be trusted with the government under any President.

Of Greeley, we know, only, that he is devoid of all capacity as a statesman; that he has been the advocate of almost every disorganizing absurdity which has annoyed the country and disturbed its peace; that he has been consistent in nothing but his enmity to the South; that with him he will bring in a new brood, as hungry, doubtless and as unprincipled as himself, with Sumner at its head.

I for one will never vote for him, and I trust the Baltimore Convention will nominate some man for whom we can all vote, and not commit what Senator Ferry properly calls midsummer madness.

Allow me to add that I think there ought to be a mass meeting of the Democratic party of the State to appoint delegates to Baltimore; and I hope that you and other prominent Democrats who are well known to the party and have its confidence will call it.

Very truly yours,
(Signed) JAMES LYONS.

J. D. McPherson to Jefferson Davis.

(From Confederate Museum.)

Washington City
June 17, 1872.

Hon. Jefferson Davis,
Memphis, Tennessee.

Dear Sir,

I have only this moment yours of the 13th. I leave this evening for the North on business which will detain me three weeks I presume—attending the examination of the witnesses for the United States in the matter of the claims against Great Britain for losses by the St. Albans raid. I go for the defence. I shall not be at my home again before my return, nor do I think I can direct any of my family where to find the Scott correspondence you wish. I have a copy I am sure, unless it has recently disappeared. If I have not I can get a copy from the Capitol. As for the information from the A. G. Office, I doubt whether anything authentic or reliable can be obtained unless by direct application in your name which I will with great pleasure make if authorized so to do. The *reasons* for ordering Hitchcock from post to post would hardly possibly be expressed in any order but must be found in reports or, what is more probable are not in writing but were given in verbal conferences. However this is mere conjecture. I will on my return see the publication and observe the point to which your inquiry is directed.

Sincerely yours
(Signed) Jno. D. McPherson.

James A. Seddon to Jefferson Davis.

(From Confederate Memorial Hall.)

Richmond, June 17th 1872.

Hon. Jefferson Davis,
Memphis,

My dear Sir,

Owing to my absence from the City, yours of the 5th inst. was delayed in reaching me, and until now, I have been unable to reply to it.

I deprecate earnestly the continuance or revival of controversies or animosities almost inevitably engendered at times among our most distinguished Leaders in our late eventful struggle for Independence, and with the utmost deference to your Judgment, which I so highly respect, and to your feelings, which claim ever my cordial sympathy, I yet venture to suggest to your grave consideration, whether it be not more magnanimous and wise to let such statements and opinions, as you refer to, pass with dignified silence, and trust to the just appreciation of the future as to all controverted points with our Military Leaders and especially as to Gen. Jos. E. Johnston's campaign in 1864 and the causes of his removal from command. So far as my own humble participation in the Executive Administration may affect my own character or repute, it has been my resolve and action to pursue this course, and with conscious rectitude to abide Judgment of calmer hours as to my motives and conduct. I would not be a true and candid friend, if I did not frankly counsel, and with graver reasons a similar forbearance on your part. I am conscious however your interest and responsibilities in such matters are far higher and graver than my own, and that from your superior position and different standpoint, variant views of what Honor and duty, as well as policy may require of you, may well be entertained. In such event, I recognize your right, from the trust enjoyed by me at your hands, and the relations cherished on my part towards you, to call for and have—from me my best recollections of any transactions affecting your Administration, and among them of the transactions and communications with Genl. Johnston and the causes of his removal from command.

In the event however you conclude to make such call, I must regret that my recollections must prove vague and more general than you may anticipate or I could wish. In truth, I have had no pleasure in the retrospect of the fruitless, the heroic sacrifices of the War, and have rather avoided those cherished remembrances of its disastrous events and the controversies they provoked. In reference to the letters or communications of Genl. Johnston himself, I have only a recollection of the impressions and conclusions they strongly induced in my own mind, as well as with your Cabinet and yourself, and would be sadly at a loss to give the contents or substance of any one. I doubt therefore, if my recollections would meet your expectations or accomplish the vindications of truth you desire. Should you conclude to require them, I would be obliged to you to ex-

plain more fully the communications or actions of Genl. Johnston to which you would direct specially my recollections.

You specify only one assertion which you would repel, and that is, that Genl. Johnston was, when relieved of command, preparing to defend Atlanta and with good prospect of success. I can only say Genl. Johnston had been strangely reticent with the Government as to his plans and purposes, and one of the gravest objections existing to him was, that he would not give satisfactory information or assurances on this very point. From such communications as the Government could extract from him, and the best information it could obtain from other accredited sources, it was the unanimous opinion of your Cabinet and yourself,—certainly my firm conviction, taken against prior provocations I recommended removal,—that he did not intend to fight a battle for the relief of Atlanta, but was already arranging, by another disastrous retreat, to abandon his position there and elude the threatening enemy.

In the then circumstances and with the existing feelings of the Country, it was thought indispensable for the Honor and success of our cause, that a stand should be made at last and Atlanta defended to the last extremity. The conviction that Genl. Johnston was arranging to evacuate it with his army and his failure or refusal to give assurance to the contrary were the immediate and final causes of his removal. I do not think I can be mistaken in my impression, that the telegram that relieved him of command expressed this, but I cannot pretend to recall its exact terms.

Pardon me for hoping excuse for my frankness of counsel in the above, since it is dictated by the sincere interest and esteem with which I am now as heretofore

Your true and cordial friend,
James A. Seddon.

Jefferson Davis to Braxton Bragg.

(From New York Historical Society.)

On receiving a copy of Genl. D. H. Hill's letter of 26th Oct. 1863, addressed to Genl. Breckinridge, and published in the Historical Magazine of June 1872, General (Bragg) addressed Jefferson Davis, enclosing Hill's letter, and received the following reply—

copy verbatim

"Memphis
29th June 1872

"Genl B. Bragg,

"My dear Sir:

"Yours of 27th inst received. In regard to the main facts "of the case to which you refer my recollection is quite dis- "tinct—

"Genl Pemberton left by the fall of Vicksburg without a "command, reported at Richmond for duty as soon as his ex- "change permitted him to do so. I then, as now, held him in "high estimation and regarded him as an officer most unjustly "censured. Being about to visit the army under your command, "I invited Genl Pemberton to accompany me under the hope "that some duty appropriate to his rank might be found and "his desire for active service be gratified. After reaching your "Hd. Qrs. and when the painful fact had been realized, as was "manifest in the council held with the senior officers, that there "was not the harmony and subordination essential to success, "my thoughts were directed to the changes which the good of "the service required. You had previous to the meeting re- "quested to be relieved, and the answer to that request had been "delayed. The conference satisfied me that no change for the "better could be made in the commander of the army.

"That decision made it necessary to consider other changes, "and I found then as on other occasions that your views and "recommendations rested on facts which had been developed "and pointed only to the efficiency of the army as the object.

"Then when I enquired whether Genl Pemberton could be "advantageously employed, you said you would have to make "inquiry before expressing an opinion. Not that you esteemed "him less than I did, but that notwithstanding your confidence "in his worth and your personal attachment to him, you did "not wish him to be assigned to a command in the army unless he "would be acceptable to the troops. Subsequently you in- "formed me that after consultation with officers you thought it "would not be advisable to carry out my suggestion——Having "recently assigned an officer [1] to the command of a corps in that "army who had not previously served with it or been applied "for by you, and the result having proved unsatisfactory I had "no disposition to repeat the experiment.

"The subsequent conduct of Genl Pemberton in resigning his "commission as Lt. Genl., when he found there was no corps for

[1] Can only refer to Genl. D. H. Hill, in this place

"him, and applying for duty in his army rank as Lieut. Colonel "of Artillery maintains my opinion of his zeal and soldierly "spirit.

"Very respectfully & truly yours
Mr Davis (Signed) JEFFERSON DAVIS.

Endorsed:

Memphis—
29, June 1872

Jefferson Davis
To
Genl. B. Bragg

On the subject of Genl. D. H. Hill's letter to Genl. Breckinridge of 26, Oct. 1863.

John H. Reagan to Jefferson Davis.
(From Confederate Memorial Hall.)

Palestine, Texas, June 29th, 1872.

Hon. Jefferson Davis,
Memphis, Tenn,

Esteemed Sir:

I was absent from home at our State Democratic Convention when your note of June 12th with the enclosed newspaper slip reached here. Was at home afterwards but one night and have just returned from the Van Zant court, and answer at the first opportunity.

Before we left Washington Georgia the money of the Richmond Banks, which I understood had been under the protection of the escort for the protection of the Confederate money, was placed under the exclusive controll of the agent of the Banks, whose name I do not remember. I do not know what became of it after that.

I understood from the verbal statement of Mr. Trenholm, on his turning over the business of the Treasury department to me, that there was then in the Confederate Treasury some $85,000 in gold coin and bullion, some $35,000 in silver coin, about $36,000 in silver bullion, and some six or seven hundred thousand in Confederate Treasury notes, besides some sixteen or eighteen thousand pounds sterling in Liverpool acceptances.

You will remember that the silver coin and an amount of gold coin about equal to the silver bullion was paid out to the troops

before they or the money reached Washington. There I directed the acting treasurer to turn over to two of our naval officers, whose names I do not now remember, most of the gold coin and bullion; with the understanding between us all before you left Washington that as soon as the excitement subsided a little they were to take this coin out to Bermuda, Nassau or Liverpool, and turn it over to our agents that we might draw against it after we should get across the Mississippi. I directed him to turn the silver bullion over to Major Moses, as it was too bulky and heavy to be managed by us in our then condition; and I saw Moses putting it in a warehouse in Washington before I left there. I also directed him to burn the Confederate notes in the presence of Gen. Breckinridge and myself. The acceptances on Liverpool were turned over to me and were taken by the federal forces, with my other papers, when we were captured. You were not captured until several days after the disposition of all of these funds as above stated.

These constitute, as I remember them, about all the material facts as to the public funds and as to the money of the Richmond Banks. I do not know what afterwards became of the money of the Banks or of that turned over to our agents or of the silver bullion.

Whether the money referred to in the dispatch you send me is that of the Richmond Banks, or of the Confederacy, I have no means of knowing. This must depend upon such proof as can be made on the subject. We can be in no way involved in the matter that I can see. If we had taken a different course with the Confederate funds we would not have been legally responsible to the government of the United States for it. The slander that you had attempted to escape with a large amount of funds, was at first falsely and fraudulently invoked, as a means of bringing odium on your name and on the Confederacy. But it has become threadbare and stale, and its falsity is so generally understood that I am persuaded a further denial of the charge would be regarded, to say the least, as useless.

Herewith enclosed I send you a printed copy of my letter of Aug. 10th 1869 replying to a paragraph of a speech made in the State Convention by the Hon. L. D. Evans, which has some relation to the subject of your note, and may not have come to your knowledge.

I shall leave here day after tomorrow for attendance at the Baltimore Convention of July 9th, and hope to be able to come by Memphis, and to see you once more. We have a bright healthy boy about 2½ years old named Jefferson Davis. My

older children read everything they see about you and your family with great interest. Please remember us to Mrs. Davis and your children. I hope it will soon be my great pleasure to see you all. When you were first released I wrote to you at Richmond to the care of my friend Coleman Worther, but was enformed you had gone to Canada before my letter got there. After you came to Memphis, I intended to write, but in the constant pressure of business delayed it from time to time, until I almost became ashamed to write. But I felt sure you would know that this was not the result of any abatement of my affectionate regard and great esteem for you, which has brightened and strengthened as adversity and misfortune have developed the moral grandeur of your character.

I shall always be glad to hear from you, if but briefly, and as often as your leisure will permit.

Very truly and sincerely
JOHN H. REAGAN.

G. B. Jennings to Jefferson Davis.
(From Confederate Museum.)

23 Philpot Lane, London.
11 July, 1872.

Hon. Jefferson Davis,
Memphis.

My dear Sir,

I see my last letter to you was dated 19 July, 1871, and I have not since had the pleasure of hearing from you, and I was rather in hopes that some business might have brought you over to this country this year.

You will probably have heard of the death of Mr. Sonneville,[1] whom you were kind enough to introduce to me, when there seemed every probability that he was the heir to the old title and the Scotch estates.

The fatality about this family really seems very singular, in 1864 there were no less than 6 male heirs to Lord Sonneville alive in this country who have all since died without leaving male issue, and now Mr. Sonneville of Tennessee dies just as he was beginning to see his way to tracing his pedigree.

He has I believe left a son, but I have not heard from him and do not know his name or age or anything about him.

The last time I heard from Gen. Wirt Adams he was very busily engaged about the Memphis and Vicksburg Railroad, which is I trust making satisfactory progress.

[1] This may be Somerville.

I will not trespass on your valuable time, but when you have a little to spare, I shall be very glad to hear that you can give a satisfactory report about yourself and all your Family and trusting that you will at any time make use of my services here, believe me to remain, Yours faithfully,

(Signed) G. B. JENNINGS.

J. Stoddard Johnston to Jefferson Davis.

(From Confederate Memorial Hall.)

Frankfort, Ky., July 25th, 1872.

My Dear Sir:

I send you with this a copy of my weekly paper with the article on the Confederate archives and Pickett marked. I know but little about them but felt I knew enough to say so much. It may be that he may reply to me privately or publicly as the Ky. Press has taken up my article and endorsed it freely, and Pickett has many friends and relatives in this State. If you know anything which bears on the subject which I ought to know in managing any such controversy you may rely upon my friendship and discretion not to use it improperly if you convey it to me.

Hoping that you are enjoying good health and with kindest regards to Mrs. Davis

I am sincerely yours &c.

(Signed) J. STODDARD JOHNSTON.

Hon. Jefferson Davis.
Memphis.

W. H. McCardle[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Vicksburg, Miss., July 26, 1872.

My dear Sir—

I enclose you a slip, in which you will find some utterances of Genl. Joe Johnston, in regard to yourself. I take it that these outpourings are merely in *avaunt Courriers* of what his forthcoming book will contain, and hence regard them as more important than such things would usually be regarded.

I have a notion to apply the scalpel to Joseph, and if this Herald letter, containing a report of what he said in Baltimore,

[1] Prominent newspaper editor of Mississippi.

should suggest anything to you, I should be glad to receive any elucidations of his alleged facts that you may deem proper.

With kind wishes for you and yours, I am as ever,

Very Truly Yr. frd.

Hon. Jefferson Davis. W. H. McCardle

Memphis, Tenn.

Jefferson Davis to Geo. N. Saunders.

(From Confederate Museum.)

Memphis,

George N. Saunders, Esq. 31st July 1872.

Dear Sir:

Your telegram of this date received. I have two objections to the proposed publication, 1st I do not wish to be involved in the political contests of the day. 2nd I have no recollection of my having sent to you, "authority to negociate for peace."[1]

With best wishes for you and yours, I am respectfully, etc.

(Signed) Jefferson Davis.

Jefferson Davis to Jas. Phelan.

(From Manuscripts Division, Library of Congress.)

Office of
Carolina Life Insurance Company,
No. 42 Madison Street,

Jefferson Davis,
President.

M. J. Wicks,
J. T. Pettit,
Wade Hampton,
} Vice Presidents

William M. Browne, Sec'y.

Memphis, Tenn., 6th Aug. 1872

My dear Friend,

Your kind letter from Montvale full of interest to me as it contained news of two dearly beloved, and breathed the affection for me & mine which is so much prized, yet wanted one thing, notice of your next resting place. So I shall send this to Alleghany, as Judge Ellet's presence will probably attract you thither. The weather is less oppressive here than it has been for some time past, and the weather-wise say it will not be so hot again. Maggie and Winnie have gone to Sewanee, Billy went

[1] See George N. Saunders to Jefferson Davis with inclosure, Aug. 13, 1872.

to the country with Miss Belle Edmondson, and notified us that he will come in to see us, if he first has a promise that he may return to the country. So our family is reduced to Mrs. Davis, Jeff:, and myself.

Mrs. Davis has not been well, but persists in her purpose to remain here, during the Summer.

The quarterly meeting of our Board is to occur next week, and I hope to go away for a short time after that event. It is probable that business will call me to Baltimore, in which event I will hope to see you on the way: and to derive more benefit from your companionship than from the "healing Waters." The apothegm you quote was made without reference to destruction, by thieving Yankees and domestic sharpers, of the fruits of a youth of labor. The silk worm spins her cocoon before she dies, and Man should provide for his family before he is borne out from his house. Life has not been to me of the Dramatic Kind, so I cannot answer by selecting either of your three phases, but would call it a long tour of fatigue, marked by a succession of unjust reports. There has been an unusual exodus of our acquaintance, and "the air a solemn stillness holds," except when pipe & drum announce a procession of the Sons of Ham, so called to show their connection with humanity, like the bar sinister on an armorial crest. I hope when you get to a *drier* atmosphere, that your head will be relieved; were I your Physician my dictum would be a sea voyage. To mate with the inconstancy of his mind, man's body requires change, when diseased the more extreme the change the better. I know whereof you suffer, having watched the like for years in my Brother, it comes of the air of the Mississippi valley. With love to "Miss Mag." I am ever faithfully your friend,

JEFFERSON DAVIS

Hon. James Phelan.

Geo. N. Sanders [1] *to Jefferson Davis.*

(From Confederate Museum.)

With clipping.

New York
321 East 17th St.
13 August 1872.

My dear Sir

Yours of the 31 July received— I hope that you have preserved my letter alluded to in my published letter of to-day, as

[1] To the North and South.

The publication of Prof. Holcombe's partial, and in some respects inadvertent report calls for a further and more careful statement of the facts

I have, your answer to it, among my papers— I cannot give the exact words of mine to you—but my reference to it is much within its scope.

of the peace negotiations at Niagara Falls, that persons connected therewith may be placed in just position.

In the summer of 1862, soon after Gen. McClellan's retreat from before Richmond, and the non-success of Federal arms generally, I wrote to President Davis suggesting that the Congressional and State campaigns North would be a favorable time to inaugurate a peace movement, offering to go to Canada, on that mission. A sufficient idea of the character of my proposal is given briefly in saying that it was based upon the principles of fraternity and guaranteed reciprocal relations. President Davis promptly responded in writing that the proposition was of the highest importance, and myself the better judge of the ways and means to be employed. Orders were given to Gen. J. E. B. Stuart, commanding the outposts, to pass me through our lines; and disguising myself I at once left Richmond, leaving behind all papers and other witnesses of identity, and passed directly through the Federal lines to Niagara Falls. Here I met Gov. Morehead of Kentucky, and other leading men, who thought that as the issues of the approaching elections were already made up, with a fair prospect of success for the peace party, any change would be impolitic. Thus advised, I proceeded to England without delay on other business for the Confederacy.

THE WHOLE UNION THE ONLY BASIS.

Watching events from London and Paris, I saw all hope of European intervention dissipated, and concluding that the Presidential campaign would be the next Confederate opportunity, returned to Niagara Falls in June, 1864, to execute my original peace programme. I sent invitations to many old friends, representative men of the North, to meet and confer on the situation. An effort is now being made to taint every Northern man who came in contact with me at the Falls with disloyalty to the Union. It is therefore not officious to say that not one of the many distinguished men of the North who visited me on that occasion favored any disintegration of the Union. Many were for its further expansion. All desired its restoration or favored some plan of reconstruction.

THE REBELLION GIVEN UP.

My first efforts here were grounded upon the Crittenden compromise, which had been universally approved by the Northern Democracy and Bell-Everett "Americans," who, together, were largely in a majority in the States. But no plan of reconstruction met with any favor except as under the Federal Constitution. It was clearly demonstrated that we would be compelled to agree to reunion under Federal authority before we could have any cooperative strength in the North; and I thought it best to at once accept this fact, and to make the great effort to preserve the dominion of the States of the South, as far as practicable, over their domestic institutions. During our consultations I had learned that the Administration at Washington could be approached with a fair prospect of success. I therefore resolved to make every effort to ascertain whether they could be induced to make or accept any proposals likely to lead to peace.

ONLY PEACE DISCUSSED.

Professor Holcombe now arrived at the Falls, and upon his informing me that he, Senator Clay, and the Hon. Jacob Thompson had come to Canada

In deference to your wishes "not to be involved in the political contest"—I have given none of the details; but its general character had to be given to enable me to make my statement—

accredited agents of the Confederacy, I explained to him the general situation and my views, and found that he was willing to cooperate with me. I then asked him if their credentials exhibited sufficient general powers to enable us to open negotiations for peace directly with the Federal Government. He thought they did, and raised no question or doubt about the approval by the Confederate Government of our proposed overtures. Formal diplomatic action required association with accredited agents, owing to my initial correspondence with President Davis not being at hand. For me to have withdrawn, however, leaving the affair entirely in other hands, would have been a total surrender of my duties. The Professor, a stranger to most of the distinguished gentlemen presented to him, and a novice in diplomacy, is excusable for falling into some confusion in his report. I was not cooperating with him or Mr. Clay in their mission, but they with me in mine. Prof. Holcombe then accompanied me to St. Catherine's Wells, where Senator Clay was staying. He gave his hearty approbation. Mr. Thompson joined us there from Toronto. But between him and myself there existed a political antagonism of several years' standing. He opposed all my suggestions, and, too glad to be rid of his incongruous counsels, I made no effort to change his views. This was my only conference with Thompson—the modes of peace, the only subject discussed. Nor was I ever cognizant of any proposition to fire New York, to make war by contagious or infectious diseases, or commit any such acts. When the St. Albans' raid was over, I did what I could to protect my young countrymen from the consequences of an act which they knew well I would have totally discountenanced.

HORACE GREELEY INVITED.

Thanks to Prof. Holcombe for the declaration that I was never taken into their plans or confidence. But it would have been more courteous and still more exact to have said that I never sought from them the character of their confidential mission, interested only to know whether they possessed sufficient powers to aid me. Upon their assumption and approval I authorized Mr. Jewett, who had proffered his services, to give Mr. Greeley assurance that Messrs. Clay and Holcombe were confidential agents of the Confederate Government, and that, while they had no specific instructions, their general powers and knowledge of the wishes of the Confederate Government would warrant their opening negotiations for peace, and that they were ready to make or receive proposals from the Washington Cabinet, and directed him to ask Mr. Greeley to procure a safe conduct to Washington for Mr. Clay, Mr. Holcombe, and myself. Mr. Jewett acted with entire fidelity to all parties.

HORACE GREELEY VINDICATED.

Mr. Greeley, upon this assurance only, came to the American side of the Falls. He did not come to visit Southern men as "private citizens;" he was not invited informally or generally, as the other gentlemen were, but as a Republican and a representative of the United States Government, to whom some formal authority must be assured. If, now, Mr. Holcombe had firmly adhered to his original opinion of the extent of their powers, we could, upon Mr. Greeley's arrival with our "safe conduct," have accompanied him at once to Washington; but Mr. Holcombe hesitated and our opportunity was lost. Mr. Greeley would not follow a retreating shadow. Being met by such feeble assertion of authority on our side, throwing

It is now believed that Greeley will carry all the Northern States with the exception of Vermont and Massachusetts—the more sanguin place Massachusetts with the doubtful

Your friend,

To (Signed) Geo. N. Sanders.

Hon. Jefferson Davis
Memphis, Tennessee.

upon him the responsibility of taking to Washington a party of "private citizens," instead of acknowledged agents of the Confederate Government, he very properly declined to proceed until he could communicate afresh with his Government. The delay enabled Secretary Stanton to intervene against us, and caused to be issued the famous paper, "To whom it may concern," recklessly throwing in advance of all negotiation the great stumbling block, abolition. This paper was delivered by Major Hay, President Lincoln's Private Secretary, accompanied by Mr. Greeley. This was our only interview with Mr. Greeley—the delivery of the paper and the exchange of ordinary courtesies all that transpired. Mr. Clay being absent, Major Hay was informed that, on his arrival, an answer would be sent in writing.

EDWIN M. STANTON'S PART.

It would appear that Mr. Stanton had, with ambitious envy, put a stop to President Lincoln's negotiations, that he might himself send an envoy to his old friend Thompson. The envoy (Judge Jere Black), arriving at the Falls in search of Thompson, saw me for a moment, and hurried on to Toronto. Of the purposes of these three Cabinet counsellors of President Buchanan—Black, Stanton, and Thompson—I am still ignorant. Perhaps the pigeon holes of the War Department hide some light on the subject. The Judge's patriotism will no doubt prove to have been equal to the perilous position of being between Stanton and Thompson.

Mr. Seward also sent his envoys to us. But his efforts were negatived by Mr. Seward's caution in not allowing to be conveyed to us the authoritative character of their mission.

Thus the impression became popular that we could exercise great influence on

THE CHICAGO CONVENTION,

and brought to us among others, notably, partisans of two Federal Generals then in high and active command. They, we were assured by leading delegates, had strong Southern affinities. Their pretensions, however, were lost in the declared superior popularity of Gen. McClellan with the soldiers. The only person that the Southern men seriously sought to have nominated at Chicago was Dean Richmond, without any other platform than his well-known, pronounced Union principles. We were willing to trust to his love of the entire country for an honorable and equitable adjustment, and believed that under all the circumstances he was the strongest Democrat in the land. Mr. Richmond's friends in Western New York warmly responded to our wishes. Mr. Richmond himself, however, while receiving our frank overtures with the utmost courtesy, firmly refused to allow his name to be used as against Gen. McClellan. We yielded to his decision.

LINCOLN'S ASSASSINATION.

President Lincoln reelected, his confidential ambassador to the Courts of Europe, the Hon. Robert J. Walker, with the approbation of President Lincoln, visited me at Montreal to see if we could not devise a pacific

Filed with this letter is the following telegram to Mr. Davis.

Will publish substance of my letter to you and your authority to negotiate for peace

(Signed) GEORGE N. SANDERS.

Jefferson Davis to A. J. Beresford Hope.

(From New York Historical Society.)

Memphis, Tenn.
11th Sept. 1872

My dear Mr. Hope,

Ever mindful of your kindness to me when in your country and also grateful for the friendship shown both by Lady Mildred and yourself to the cause of these Southern States, I should have written to you oftener if there had been any thing in our affairs which it was pleasant for me to communicate or for you to read.

settlement. We viewed the question in many lights, and Mr. Walker returned to Washington early in March 1865, with the understanding that as soon as his instructions could be prepared he would send a safe conduct for me to accompany him to Richmond. In anticipation of my visit to Richmond I published in the Montreal papers my report to President Davis, in the hope that a copy might get through. Following are extracts from that letter, dated Montreal, March 7, 1865:

That upon the arrival of Messrs. Clay and Holcombe I endeavored to show them the impossibility of the success of any movement not open and general in its character. That the Northern people could not be induced to rise either by States or sections. * * * * That Holcombe and Clay had, with eloquent ability, responded to the document "To whom it may concern."

Conscious of the fast waning vitality of the Confederacy, and well acquainted with the strength of the Federal arms, I was willing to go to Richmond upon the terms I was assured by Mr. Walker that President Lincoln was ready to offer.

From the first I thought I saw a solution, though a less and less favorable one as time progressed, and I still feel sure that from my inside knowledge of Northern opinion, could I only have reached Richmond with a United States Plenipotentiary, I could have brought about an adjustment.

But before Mr. Walker had time to effect anything further, the mournful event was announced of the unconditional surrender of the noble Lee and his heroic army, warranted by President Lincoln's proclamations offering amnesty and equality of rights within the Union to all that would lay down their arms. Thus we were left to the good faith of the President of the United States. Two days after was telegraphed the shocking tragedy of the assassination of the kind-natured President Lincoln, with whom my relations had to the last been so encouraging—and after that comparatively few in all the victorious North dared to be even just, much less magnanimous.

Respectfully, GEORGE N. SANDERS.

New York, Aug. 12, 1872.

I now address you to ask a favor. It has not been possible for me to get a copy of the admirable work of the late Lord Lothian, on our question of State rights, and I have turned to you with the trust due to your goodness as well as your power to serve me in this case.

Please present my most respectful remembrance and best wishes to Lady Mildred and your Daughters, in which Mrs. Davis cordially unites. Ever sincerely your's

JEFFERSON DAVIS

L. B. Northrop to Jefferson Davis.

(From Confederate Memorial Hall.)

near Charlottesville (Va.)
Oct. 23rd, 1872.

My Dear Friend,

I have been informed of the death of your son Willie which brings back to my recollection your first (?), and your many kindnesses to me; when in Washington I observed your devotion to your children. We all sympathise in your sorrow which I know has penetrated your heart, and we pray to the God of all consolation to alleviate the blow, and we send grateful love to you and Mrs. Davis.

Yours as ever,

L. B. NORTHROP.

endorsed:
L. B. Northrop; condolence; ansd. 13 Dec. 1872.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Memphis 25th Oct. 1872

My dear Friend,

I tender to you and your sorrowing wife my sincere sympathy in your domestic affliction.

Though my own heart is bowed down at the loss of the object of my highest earthly hope, yet do I truly grieve for and with you. Faithfully

your's

JEFFERSON DAVIS

Maj. W. T. Walthall

J. P. Shaffner to Jefferson Davis.

(From Confederate Museum.)

78 & 80 Broadway
To New York Nov. 16th 1872.
Hon. Jefferson Davis

My dear Sir, Your letter of the 11th Inst was received yesterday and I now enclose to you the photograph of His Majesty the late King of Sweden, Charles XV. It bears his autograph and the address on the back is in his hand writing and when he wrote it he meant what he did. At first he placed his name at the bottom of the card, and then after a few moments conversation he said "I will address him officially as further proof of my sincerity." We had dined and alone in his Library, where we had a lengthy conversation about American affairs. He had the Map of each state before him and I gave him a full account of their history, population and products. He was quite informed as to American politics, but he did not understand the cause of the war. I informed him that it was not as to the increase of slavery, but that the issue was wholly relative to the rights of the parties under the constitution—that the aim of the north was to curtail the rights of the South and that one of the means adopted in the North was to destroy the wealth of the South by affording no protection to property recognised by the federal constitution. I told him that I was opposed to a separation of the states and that as a native Virginian and a long life resident of Kentucky I had keenly felt the wrongs under which the South had suffered, and was likely to endure. He was not mis-informed by me as to my own convictions. I told him that to divide a people was a matter of grave import and that I thought we ought as a people suffer much before taking such a serious step as separation. With this explanation he asked me if I would take a message to you, and deliver it in such manner as he might direct. He wanted me to hand you the enclosed photograph, "not to send it, but hand it to him" were his words. "Tell him that I do this as 'significant' and that I am ready to act at anytime." I wrote down on the back of the card his words in stenography just as he dictated and I send you the translation. I was never to entrust anything to the mails, but that I must go and deliver it in person. As to the rest and the details of the conversation I must defer until some time when we meet which is likely to occur before many months as I have

an intention of visiting the South. It would occupy many pages to describe all the details of the conversation and I give you the substance of his message.

There was something more, having reference to France, of which you must wait and receive from me.

I have never shown this photograph to any one and now trust it to the mails which I would not do, were the Monarch that sent it alive, nor have I ever told any one of the message he sent, and as to the part untold you must await our meeting, as it might be best for all parties that I do so, as it was of words of much importance.

There is no question as to genuineness and I have many evidences to satisfy you that there can be no error as to the matters herein referred to.

His Majesty created me Commander of the Sword Order and placed the Decorations upon me himself.

I may mention that the photograph to you and the one to me are the only ones known to contain his autograph, as such an act, by a Monarch has ever been rare, and particularly so with him.

Please acknowledge the receipt of this.

Very Respectfully,

(Signed) Jas. P. Shaffner.

D. H. Maury to Jefferson Davis.

(From Confederate Museum.)

Agency Office at . . . Nashville

Hon. Jefferson Davis, Nov. 20, 1872.

Office of the Carolina Life Ins. Co.

Memphis Tenn:

My Dear Sir:

On yesterday I sent you a number of the Southern Magazine for November which contains my narrative of the Battle of Corinth. I hope you will read it— I may seem to impute censure to Gen. Lovell. I did not desire to do so—but it is impossible to relate the facts of that Battle fairly and not tell how inactive he was.

Soon after you were released from Fortress Monroe I wrote out for you my report of the Battle of Mobile. If you have it now may I not have a copy of it. I have been requested by the Southern Historical Society to write a full account of that Battle for the Society, and have only my memory to rely upon.

We heard with much regret of the death of your little boy—be

assured of our warm sympathy in your affliction and believe (me) with high respect,

Yours sincerely

(Signed) Dabney H. Maury.

Jefferson Davis to Jefferson Davis Smith.

(From Confederate Memorial Hall.)

"Memphis, Tenn., Dec. 6, 1872.

My Dear Young Friend:

The interest I feel in you,—not merely as my own namesake, but because of your bold avowal of your name on all occasions during the war when you were questioned by our enemies, induces me to write to you and request that you will reply to this letter and tell me about your studies and what branches are most attractive to you. It is rarely given to any one to acquire with equal facility in the different departments of knowledge, but zealous labor will overcome special difficulties and bring ever increasing capacity to learn. In the partially developed condition of our country, the apothegm that 'knowledge is power' has more than the physical application, but it is not alone for material use that I would have you gather knowledge. To be wise is not merely to be great, but also to be good. Glory properly belongs to duty well performed and happiness only dwells with him whose conscience is at peace with itself. It may not be your fortune to fill high stations, but if it should be, value them as the means of greater usefulness, and thus deserve, though you should not receive, the thanks of those you have served. Though the name of politician has sunk to disrepute because of the many who follow 'politics' as a trade, yet in a land the institutions of which are based on the theory of self-government by the people, no one has a right to wholly withdraw himself from connection with public affairs. Whether as an elector or a representative he has need to know the nature of the government and the condition of the country. Under such conditions it is most palpably true, that man is not born for himself alone, or for his family only.

Please give my kindest regards to your father, and believe me with best wishes for your prosperity and happiness,

Faithfully your friend,

Jefferson Davis.

Jefferson Davis Smith,
Stewartsville, Mo."

Ella M. Smith to Mrs. Jefferson Davis.

Brooksville, Ky.
Mar. 12, 1890.

Dear Mrs. Davis,

I herewith send you a copy of a letter written by Mr. Davis, to my father's youngest brother, who at the time the letter was written, was ten years old. The letter has been published in the local papers, but has not been put before the public extensively. And my father thinks that it contains to much good advice for all American boys to be kept in private circles. I send you this in accordance with your request. Please acknowledge receipt of the same.

Faithfully your friend,

Ella M. Smith.

Dabney H. Maury to Jefferson Davis.

(From Confederate Memorial Hall.)

Nashville, Tenn. January 15, 1873.

Hon. Jefferson Davis,

My Dear Sir,

I return herewith the report of Mobile with my thanks. I have prepared from it a paper for the Southern Hist. Socy. which will perhaps be published in the Southern Magazine.

During the latter part of the war I have been told that my name was mentioned for promotion to Lieut. Gen. I have heard that General Hood had requested me to be sent to his Army to command a corps, and that it was at one time under advisement to promote me and place me in command of Department of Miss. and Ala. I have no official record or evidence of this, did not know nor suspect such an honor at the time it was stated to have been proposed for me.

I hope you will not consider me obtrusive in asking you to write me under your own hand whether this was so. I desire to preserve the letter for my Children if you will let me have it, and shall always remain with high respect your friend,

D. H. Maury.

Jefferson Davis to A. J. Beresford Hope.

(From New York Historical Society.)

Memphis, Tenn.
28th Feb. 1873

My dear Mr. Hope,

On my return to this place after a protracted absence I received your very kind letter, and the much desired work of Lord Lothian. I am truly thankful to Lady Lothian and yourself, but had I known how much trouble my request would entail, I should not have so imposed upon your goodness.

Just before I left, the "brochure" you sent to me was received, and a literary friend to whom I read one of the pieces asked me to lend him the book, that he might make some extracts from it for his magazine. He has not fulfilled his renewed promises to return it. As soon as he does so I will comply with the invitation on the blank leaf.

The Geneva transaction, was from its inception to its close a matter of surprise here, to those who think and feel like myself. Had the Yankees had the British side of the case, they could with more reason have made a larger bill of damages. The responsibility for interrupting trade, by a proclamation of blockade while denying the existence of a belligerent, was certainly greater than that of acknowledging belligerent rights, after that act of war had been proclaimed. And the capture of neutral vessels on the high seas, lest they should go to and enter a port nominally blockaded, was a gross infraction of international law and especially of the American doctrine in regard to the freedom of the seas, and "paper blockades."

The "Alabama" was neither manned nor armed in British waters, and the building and selling of vessels, had never before been regarded as a breach of neutrality.

The contrast between your government and that of this country, may at least give you the consolation of knowing how much worse off you might be, than you are. The liberty of the law, administered by learned and respectable men, is a blessing best appreciated by those who have it not. The memory of England's freedom and order is to me so happy, that I earnestly hope the progress of radicalism will be checked before it endangers the institutions needful for the preservation of both.

I regret to learn that you have had illness in your family but trust before this time you are all well. We have been in like manner afflicted, and have lost our younger son.

Mrs. Davis joins me in affectionate remembrance to Lady Mildred & your Daughters.

With best wishes I am ever

faithfully

Your's

JEFFERSON DAVIS

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Memphis, Tenn., 14th March 1873

My dear Sir,

Some of the Agents of our Company have expressed the opinion that the organization of local boards of trustees would be of advantage to them, and authority has been given for that purpose. If it would aid you to have such Boards say in Mobile & Montgomery you can select and nominate persons to be appointed as Trustees. I do not know whether Genl. Browne, before he left here, sent you a copy of the resolution of the Board of Directors on that subject and therefore state, that the qualification for a Trustee is that he shall take a policy for $5,000 or that he shall be a stockholder to the amount of $1,000.

The Committee on agencies have called on me for a statement of receipts and disbursements on account of the several agencies, and one of the clerks is now engaged in the preparation of the required statement.

Please let me hear from you as to the prospect of this season's business in your district. I would like to have whatever may serve me in the event of the statement being unfavorable in your case. This not merely because of my personal regard for you, but also because of my confidence in your ability to do as much as another, whether that be great or small.

Very truly your friend

Maj. W. T. Walthall
Mobile

JEFFERSON DAVIS

John C. Hall to Jefferson Davis.

(From Confederate Museum.)

Quincy, Cal. March 15, 1873.

Hon. Jefferson Davis,
Memphis, Tenn.

Sir:

I have been informed that in a speech which you delivered at Portland, Maine, I think, before the war, you made use of a very

beautiful and forcible metaphor, to illustrate the relations in which the various states stood, in reference to the Federal Union, and to each other. The metaphor was this, "They are distinct, like the billows; but one, like the sea."

I am also informed that Mr. Colfax, of Credit Mobilin fragrance, in a speech delivered after the war, committed a plagiarism by using, as his own, the same metaphor, to illustrate his view of the relations of the States.

If it be not inconsistent with your views of propriety and too much trouble. I wish you would inform me whether you used that metaphor to illustrate your view, that all may know whether Mr. Colfax is a literary pirate as well as a perjurer.

Yours respectfully,

(Signed) JOHN C. HALL.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Memphis, Tenn., 27th March 1873

My dear Maj. Walthall,

Since my last in answer to your's of the 19th Inst., I have conferred with the committee on agencies, in regard to the several matters presented in your letter. Each was adopted as proposed by you, of which the Secretary will officially notify you The want of money has been felt in this region as you describe it to have been in your's, and a consequent failure of our expectations of new business has been the result. This state of affairs sufficiently accounts for the difficulty in getting good solicitors. Mr. Powell wrote to me that an agent could he thought do well in his embryo city of Birmingham and I invited him to nominate one having the requisite qualifications. He has not replied.

Mr. Jno. K. Barton, jr wrote to me from Opelika, asking on the part of the Baptists who were building for a female college at that place, that he should be made a special agent to get insurance to warrant a loan of money, needed to complete their buildings. We are still in correspondence with him. Do you know any thing of him? To obtain the good will of a sect sufficiently strong to lead in the foundation of a College may be useful in getting other business in that section.

As ever with best wishes for you and your's I am your friend

JEFFERSON DAVIS

[1] Lawyer of Plumas County, California, admitted to the district court May 10, 1871.

Jefferson Davis to A. J. Beresford Hope.

(From New York Historical Society.)

Memphis, Tenn.
8th April 1873

My dear Mr Hope,

It is with no little hesitation that I comply with your request for an opinion on the poems you had the kindness to send to me. For I am conscious of my unfitness for the criticism of such a work, and only attempt it in response to your expressed wish.

In "Fact and fiction," I find the attributes of the Creator grandly and impressively presented, and the unrest of all his creation profoundly considered and happily expressed. While concurring in the tribute paid to England, I do not quite agree with the picture of France, the shadows may not be too dark, but the lights are omitted.

The "Confederate Dead" is the poem, as was to have been expected, most acceptable to our people. It has been republished here, and has been the subject of unqualified admiration. It evinces an accurate appreciation of the political and social issues involved in the conflict. The spirit of patriotic devotion and the love of liberty ascribed to the Confederate Soldier is an offspring alike beautiful and just. It was won by sacrifices seldom, if ever surpassed by a people; and the unusual bestowal of eulogy on the conquered proves that the hearts of that Soldier and his Poet are akin.

The Latin rendering of that sublime Hymn "Hark the Herald angels sing" is considered successful, and indicative as well of classical attainment as of artistic taste.

Having sufficiently justified the confession of unfitness, made in the beginning of this letter, I will not multiply proofs by giving further manifestations. In general terms I may say, that both in the poems and the translations I have found much of thought, and knowledge, and diction to admire; and throughout a refreshing exemption from the sickly sentimentality and the monotonous jingle of modern poetasters.

Accept my sincere thanks for your goodness in sending me a copy of the Poems.

Mrs. Davis joins me in presenting our most respectful and cordial remembrance to Lady Mildred, and your Daughters, and with best wishes, I am ever sincerely

Your friend

Jefferson Davis

Bradley T. Johnson[1] *to Jefferson Davis.*

(From Confederate Museum.)

Richmond, Va. Ap. 14, 1873.

Hon. Jefferson Davis,
Memphis—
My dear Sir:

I am preparing a report of the Circuit Court Decisions of Ch. Justice Chase and the case of U. S. vs. Jefferson Davis—as a cause celebre of American history I propose to present as fully and authentically as I can possibly do so—

I have seen and conversed with most of the actors in that transaction except Ex President Johnson and yourself— Ch. Justice Chase has furnished me with a memorandum of the proceedings prior to the application for Bail in which he declined to issue any writ in Virginia until the President U. S. should have fully restored the supremacy of the Civil Law— Judge Underwood has given me a full account of the instructions given to him by A. Johnson personally to have you indicted.

Chandler tells me of Cabinet consultations as to trial—their unwillingness to try here and consideration whether to try in East Tennessee—Ohio—Penn—Md. or Dict. of Columbia and Chase has authorized me to state that he was in favour of quashing the Indictment—on the grounds urged by Ro. Ould and O'Conor.

If agreable to you I propose to give a statement of the date and place of your capture by the military authorities of the U. S. and imprisonment at Fortress Monroe and such details of that imprisonment as you may think proper to communicate to me or it may meet your views that I should state.

I consider the U. S. fully responsible for the acts of its Agents Stanton, and Miles during the interval of your imprisonment and think honest history ought to have those acts accurately even if briefly detailed and set forth.

[1] Bradley T. Johnson was born at Frederick City, Md.; graduated at Princeton, 1849; studied law at Harvard and was admitted to the Bar in 1851.

When the Civil War began he organized and equipped a company at his own expense, taking an active part in forming the First Maryland Regiment.

He was in service in the Seven Day's Battle around Richmond in 1862, and was advanced to the rank of Brigadier General of Cavalry in 1864.

At the close of the war he practiced law in Richmond, Va., until 1879, when he removed to Baltimore, living there until his death.

A Law Report is as durable a form, as almost any Book, and by embodying this statement in my Report I ensure its preservation in an authentic form— I would like to consult your wishes as to how far it would not be disagreable to you to preserve some of those details—for instance an order of Genl. Miles that no officer should escort Mrs. Davis to or from your quarters &c. &c.

Be pleased to give me a sketch of such a statement as will do for the opening of my report— I shall follow it by an exposure of Mr. Johnson's complicity in the Indictment at Norfolk May 10, 1866—of the surrender to Civil authority and Bail 1867 and the motion to quash &c. &c. giving the official papers as the cause progressed— Mr. O'Conor is revising the argument for me— Ould will do the same— Dana has sent his and I hope to preserve this record perfect for posterity—a record of honour for you and for us— How it affects the other side—let history decide.

Present me to Mrs. Davis and pray give me this memorandum at your earliest convenience.

Yours Respectfully,
(Signed) Bradley T. Johnson.

J. D. McPherson to Jefferson Davis.

(From Confederate Museum.)

Washington, Apl. 23, 73.

Hon. Jefferson Davis.
Dear Sir,

I received a few days ago yours of the 16th Inst. respecting the arrears due the estate of Jos. E. Davis dec. and have addressed to Genl T. M. Vincent, now in charge of the affairs of the Bureau, a communication on the subject. When he shall have looked into the matter I will call on him.

I ought some time ago have communicated to you the result of my examination into the Scott correspondence in regard to the Hitchcock affairs, but when I was about to write I saw by the papers that other matters were absorbing your attention. I found it impossible to extract anything of value from the correspondence. There were no official papers published, and the facts were stated only in your letters, and not admitted by Gen. Scott. Besides that statement did not go back so as to show the indulgences previously granted and without that the statement would be incomplete. As a mere correction of a false statement

your present recollection is more complete than the correspondence contains and as evidence the correspondence has no value.

Very Respy.

(Signed) Jno. D. McPherson.

Jefferson Davis to A. G. Volk.

(From Mississippi Department of Archives and History.)

Memphis, Tenn.
1st May 1873

Prof. A. G. Volk

My dear Sir,

Please accept my thanks for the Photograph of your picture of Genl. Lee as he appeared in his study at Lexington Va. a short time before his decease. I had not seen Genl. Lee for some time before the date of the picture & his failing health must have materially altered his appearance.

It is very interesting to see the room as it was when the great soldier occupied it, for duties widely differing from those the discharge of which had made his name illustrious among the nations.

The object to which you propose generously to devote your time and talents, must be an additional claim to the consideration of all who would preserve the memory of purity, patriotism, and heroic virtue, as typified by the statue of Stonewall Jackson.

Wishing you success in this undertaking and in all things prosperity and happiness I am truly your's

Jefferson Davis

Jefferson Davis to A. J. Beresford Hope.

(From New York Historical Society.)

Memphis, Tenn.
15th May 1873

My dear Mr. Hope,

Your kind letter of the 21st Ulto. was duly received. Thanks for the opportunity you gave me to read the gracious letter of Lady Lothian in regard to the book sent to me. It has arrived safely, and the additions to the ordinary copy are to me very gratifying.

I take the liberty of enclosing a note of acknowledgements to —— Lady Lothian, which you will much oblige me by sending to her.

Please accept my congratulations on the marriage of your daughter to a gentleman so entirely acceptable to you. Remembering her taste in paintings I trust she has found in Italy all which exterior objects could add to the happiness of her honeymoon.

I met Bishop Quintard and gave your message to him. He will no doubt best excuse himself. He is working zealously in his Diocesan functions, which involve traveling over a wide territory.

Mrs. Davis joins me in kindest remembrances to Lady Mildred & your Daughters. We truly regret to learn that Lady Mildred and your youngest Daughter have been ill and sincerely hope that both of them may be speedily restored to health.

I regret to say that Mrs. Davis has been for some time suffering from a latent nervous affection for which we have not been able to obtain a remedy. The others of our family are in their usual health & all wish to be in England again.

The political condition of this country grows worse. The true character of the government has been subverted, the maxim of the party in power is that "the will of the majority is the law of the land." Than which nothing could be less like the theory of the compact of Union, or a wider departure from the idea of security under a written constitution. Universal suffrage has brought in its train endless evil. Ignorance and depravity are making us the byword of nations. It is a common occurrence to hear reflecting men say, that the separation of these colonies from the Mother country has proved a misfortune to us. A few years ago the expression of such an opinion was never heard.

We of the South enjoyed the castigation inflicted on the pretentious trickster Cushing, for his publications in regard to the Geneva arbitration. Adopting the designations of —— Lord Lothian, Jacob having despoiled Esau, naturally sought the stores of Laban. Not finding swagger likely to avail, he returned to his own role of craft, and has succeeded so well that he may be expected to renew his attempt.

It is a hard choice between the present blundering ministry and the succession of one who cannot unite and lead the conservatives to the accomplishment of their ends.

With sincere regard & esteem I am very truly your's

JEFFERSON DAVIS

Walter Acker[1] *to Jefferson Davis.*
(From Confederate Museum.)

Paulding, Miss.,
May 19, 1873.

Honorable Jefferson Davis,
Memphis, Tennessee.

Dear Sir:

In the last days of the Confederacy I was a Lieutenant Commanding Company "F" in the 12th Miss. Calvary, and was in Command of the picket guard that you passed near Abbeville before crossing the river to Washington. I turned out my Company, and it stood at "present arms" as you passed. I am of opinion that my Command was the last organized body of Confederate troops that ever had the honor of "presenting arms" to you. I have stated this to be my opinion as I knew of no other troops that could have had an opportunity to do so. If I am correct in this opinion I desire to leave it upon record for my children.

You may possibly remember the little band. It was the last time I ever saw you.

If you will be kind enough to favor me with your recollections on this subject, I will be much obliged, indeed.

Yours truly,
(Signed) Walter Acker.

A. M. Clayton to Jefferson Davis.
(From Confederate Museum.)

Wood Cote.
June 26, 1873.

Hon. Jefferson Davis,

My dear Sir:

I had intended to write you, immediately on my return from Ironton; but the night I reached home, I had a violent and dangerous attack of Cholera. I am recruiting in strength very slowly; took a short ride on horseback this morning, for the first time.

I received your letter at Pratt, (which by the way is the same with Ironton. I know not why they have two names). The paper of Mr. Tate was quite satisfactory, but his compliment premature. Our works do not fulfil their promise. I received yesterday evening, the report of the last week's work, and give the result:

[1] Lawyer of Paulding, Mississippi.

Pig Iron	No. 1.....	88 tons
	No. 2.....	36
Scrap Iron	No. 1.....	9–134 tons.

The No. 2 will answer well for car wheels.

This is only about half the production, which had been estimated by all parties. The ugliest feature in the matter is that it takes 200 bushels of coal to the ton—against the estimate of 125. This increases the cost and lessens the profit very much. Indeed, until we increase the product, very considerable, the margin for profit is small—2 49/100 of ore make a ton of pig.

In all these reports we expect improvement; but I much regret, my own ignorance of many things, indeed of all the details, so essential in iron manufactures.

We owe near $150.000 but are getting it into shape, in which we can manage it. More than half the amount is due to Mr. Pratt's estate, and his representatives will wait. His death was a great loss to us. He had the unbounded confidence of the community, whilst I am a stranger, and unversed in mechanical operations.

We have as yet sold but little pig; but have shipped some 300 tons to Cincinnati. Our No. 1 brings $52 in Louisville, No. 2 $47—expenses about $6 per ton. There is nothing actually discouraging in this, but it is so far below expectations, that I cannot help feeling it.

I will be glad if you would take the time, to come out and spend a few days with me. Mrs. Clayton, who sends you her regards, will be very happy to see you. With very warm regards to Mrs. Davis, I am,

Yours very sincerely,

(Signed) A. M. Clayton.

W. M. Green[1] *to Jefferson Davis.*

(From Confederate Museum.)

University of the South.
July 3d, 1873.

Hon. Jefferson Davis,
My Dear Sir:

During the few moments spent with you, on my way home, I neglected to ask you whether we were to have the pleasure of

[1] Green, William Mercer (1798-1887), a clergyman, was born at Wilmington, N. C., May 2, 1798, graduated at the University of North Carolina in 1818, studied theology, was ordained deacon in 1821 and priest in 1828. He was rector of churches in North Carolina and professor of literature

seeing you at our approaching Commencement on the 17th and to say to you that your room was ready for you, if you would honor myself and Daughter by using it. We have heard, indirectly that it *is* your intention to be with us; and I now write to express the hope that you will come, and will make your abode under my roof.

As your family is so small, at present, I hope there is little or nothing to prevent your bringing Mrs. Davis with you, and dear Winnie too. Mrs. D. needs not any assurance of a hearty welcome from my Daughter; and Winnie knows that she has won a large part of my heart.

I feel pretty sure that Gen. Gorgas will also ask you to stay with *him,* and therefore will not *press* my claims upon you, but leave you free to do as you think fit, convinced that you know how heartily I would welcome you.

An excursion of a week or two in this direction could hardly fail to benefit you all after the trials of this Cholera season. We hope to give you better weather than on your last visit, and enable you to see something more of our mountain.

Please let me hear from you, as soon as convenient. With kindest regards to Mrs. D. & Winnie, believe me,

Very truly and affectionately yrs.

(Signed) W. M. Green.

S. D. Lee[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Columbus, Miss. July 3, 1873.

My Dear Sir,

I have in my possession most of the Field returns of Lee's Corps, Army of Tennessee; also order books &c. I have retained them hoping some depositary would be indicated for them where they could be useful. I have seen as yet no such opening and write to consult with you as to their proper disposition.

Will you please advise me in the matter.

I often think of you and have the same respect and kindly

at the University, and in 1849 was elected first bishop of the diocese of Mississippi. He was one of the founders and for a time chancellor of the University of the South; and was the author of several books, among them a Memoir of Rt. Rev. James Hervey Otey, the first Bishop of Tennessee, 59 pp., New York, 1885. Bishop Green died at Sewanee, Tenn., February 13, 1887.

[1] Lt. Gen. Stephen D. Lee.

feelings which I entertained for you, as our former President. Mrs. Lee joins me in kind regards to yourself and family.

Yours truly,

endorsed: S. D. Lee

Genl. S. D. Lee; offers material &c. ansd. 28th July '73.

James Lyons to Jefferson Davis.

(From Confederate Memorial Hall.)

Private.

Grand Central, July 5, 1873.

My dear Mr. Davis,

This afternoon I asked the favour of an interview with you on Monday morning. But I have since thought to say what I wanted to say in that interview, now in a note would be better than to trouble with that interview, because it would relieve you of any constraint of your time and might be less embarassing to both of us.

I am in a hard place and have come to New York in the hope of getting relief but so far, I have not seen two gentlemen or either of them whom I expected to meet today.

The war put me under liabilities as necessity which then I could met easily if required but while it robbed of $150,000 it left the liabilities, when the war ceased I set to work to provide for them, as soon as I recovered my real estate the whole of which was seized by the U. S. Gov. But the second reconstruction came and robbed of $20,000 in loss of rents, one Hotel alone which was yielding $5000 being emptied of its tenants and idle for three years and every scalawag and yankee made war on my practice, even old clients going to new comers who favoured "the Nine" under these circumstances an old Yankee from Maine came along professing great sympathy for the injured Southerners and I borrowed $10,000 of him and gave him a deed of trust on my farm and former home. Up to the first of May I have paid his interest of 12 per cent, but he demands the whole principle and will take nothing less and has advertised the farm to be sold on the 19th of this month. It cost me more than $40,000, but with $10000 required in cash will bring literally nothing and as there are still other liabilities to meet if this is sacrificed it will ruin me. I came here to make up a company to purchase the Hotel which you know at the Capitol gate, (it was occupied by your Government during the war), or to raise on the Farm by the loans for the lien, the money to pay the Yankee. I prefer to sell the Hotel because that would pay all

my debts. But I am a stranger to the monied men here— I presume you are not— If you are not will you have the kindness to give me a letter of introduction to some of them which shall of course in no wise expose you to any liability.

Yours truly,

Honbl. Jefferson Davis, JAMES LYONS.
endorsed: James Lyons; in N. Y.

J. M. Pickett to Jefferson Davis.

(From Confederate Museum.)

Joplin, Mo. 1873

Hon. Jefferson Davis,
Hon. Sir:

You will no doubt be surprised at receiving this letter from an utter stranger. My only excuse for writing is, that as a survivor of the 4th Kentucky Regt. 1st Ky. Brigade, Breckinridge's Divis., Hardie's Corps, I wished to say to you, *God bless you and yours,* and if the wishes and prayers of an old Confederate Soldier (parrolled at Washington, Ga.) can throw one gleame of sunshine on your pathway, I am amply repaid. Perhaps I ought not to bother you, but having read newspaper articles from those who *ought* to be friends; and from foes, (I have never read a history of the War) I felt like offering the humble tribute of an old Soldier, a private. I have never met a Confederate Soldier that was ashamed of being one. I never saw one begging or heard of one that could'ent make a living, and the proudest legacy I expect to leave my boys, is, their Father was a Confederate Soldier.

Excuse me for troubling you I have said what I felt.

Respectfully with all the wishes for the future.

(Signed) JOHN M. PICKETT.

I. M. St. John[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Louisville, July 14th, 1873.

Hon. Jefferson Davis,

Sir:

In pursuance of your suggestion, I have the honor to report from the most accessible data, the closing operations of the Commissary service of the late Confederate States.

[1] Commissary-General C. S. A.

As you are probably aware from other sources of information, many of the most important papers of the Subsistence Bureau were lost during the Richmond fire and the subsequent retreat. It accordingly became essential to verify in the most careful manner, all statements bearing upon matters herein reported, which were found to rest simply upon recollection. This has been done;—and hence the time which has been allowed to pass since the first intimation of your wishes.

Early in February 1865, I received the order of transfer from the direction of the Nitre and Mining Corps to that of the Subsistence Bureau. A very brief inquiry into the available resources of the latter sufficed to disclose a state of affairs calling for extreme and indeed exceptional measures to meet immediate and very urgent requisitions. The future I found too critically involved in the military operations then progressing in Virginia and the Carolinas to receive more than general consideration. Few knew beyond the most trusted confidential officers of the Executive and the War Department, how far military events and hostile pressure had come to control the ability of the Subsistence Bureau to meet its ordinary duties. In the depreciated currency, the failing condition of the railroads and the general exhaustion of the country, I expected to find the greater embarrassment in arranging a prompt and ample collection of supplies for the Southern armies; but difficulties equally, and sometimes more, serious lay elsewhere. In every military department and district of supply which I examined,—with the fullest allowance for all local obstacles, and all possible official short-comings, the military status was still found the real measure of the ability of the Subsistence Bureau to collect at that time the required supplies. Cavalry raids which at first only occasionally cut the more important lines of communication, had penetrated at the close of 1864, the more interior districts; and these raids had become very destructive. Travel and the movement of supplies were in several important instances (as officially reported to the War Department) suspended for days at a time, on every leading railroad within our lines; and upon some of these roads, communications were only restored with great difficulty; upon one important trunk line not at all. Interior depots of supplies were frequently captured and destroyed. Several of the more productive districts of Virginia and the Carolinas which were relied upon as certain points of supply in last resort when regular communications became cut by raids, had passed permanently into hostile occupation. All the remaining districts of supply (in February 1865) were

either directly menaced, or remotely disturbed by military preparations and movements for what proved to be our closing struggle.

Under these depressing circumstances, I found the Army of Northern Virginia with difficulty supplied daily with reduced rations. In all the other military departments, however, the situation was better, and from several, it was still possible to draw a considerable surplus for the Richmond and Petersburg depots, whenever transportation could be procured.

With this very brief survey of the work to be done and of our remaining resources, I at once proceeded to organize a system of appeal and of private contribution as auxiliary to the regular operations of the Commissary service then laboring so heavily under its many difficulties. With the earnest and very active aid of leading citizens of Virginia and North Carolina this effort was attended with results exceeding expectation. Calls were made upon the Quarter Master department, and especially upon the Quarter Master General in person and the officers in charge of the corn and forage supply, for co-operative action and aid;—and these calls were met to the extreme limit of their power. Requisitions were also made upon the reserve stores of the Nitre and Mining Bureau, which my successor (in hearty co-operation) arranged to meet without detriment to his own operations. Still further to increase receipts of meat and other supplies from beyond the Confederate lines, requisitions were made for a large additional amount of specie, and these requisitions were approved by the President and Secretary of War and they were met as called for by the Treasury department. It would be an omission not to add in this direct connection that all possible aid and support under the circumstances was rendered to the new Commissary General at this juncture by his superior and associate officers, and especially by the old corps of his predecessor.

With these combined agencies, it was found practicable during the ensuing three weeks to materially improve the collection of supplies for the Army of Northern Virginia (and in part their delivery);—sufficiently so to become the subject of special note in the corespondence of the General Commanding (Genl. Lee) with the War Department to which special reference is made in the affixed letter of the late Secretary of War (Genl. Breckenridge). On or before March 15th 1865, the Commissary General was able to report to the Secretary of War, that in addition to the daily issue of rations to the Army of Northern Virginia there lay subject to the requisitions of the Chief Com-

missary officer of that Army, in depot along the railroads between Greensboro Lynchburg and Richmond, at least ten days rations of bread and meat, collected especially for that army; also that considerably over 300,000 rations were held in Richmond as a special reserve, and that the Post Commissary Maj. J. C. Claiborne had marked down and was prepared to impress a still larger quantity of flour and other supplies secretly stored by hoarders and speculators. In the accompanying statement of the Asst. Commissary General (Col. Thos. G. Williams) it will be further observed that there were collected by April 1st 1865, in depot available for the Army of Northern Virginia, subsistence stated in detail as follows:

At Richmond, Va.....	300,000	rations,	bread	and meat
" Danville, ...	500,000	"	"	—
" Danville, ...	1,500,000	—		—
" Lynchburg, ...	180,000	"	bread	and meat
" Greenboro, N. C. and vicinity	1,500,000	"	"	"

In addition there were considerable supplies of tea, coffee and sugar, carefully reserved for hospital use chiefly. These returns did not include the subsistence collected by the Army trains of the Army of Northern Virginia under orders from its own headquarters; nor the depot collections at Charlottesville, Staunton and other points upon the Virginia Central railroad, to meet requisitions from the Confederate forces in the Valley. From Greensboro, south and west, the depot collections were reserved first to meet requisitions for the forces operating in the Carolinas, and the surplus for Virginia requisitions.

This collection of supplies was daily reported to the Secretary of War as it progressed; and the Q.M.Genl. and his officers were also officially advised as occasion required. It is hardly necessary to add that every possible effort was made to secure prompt transportation from the railroad depots to the front; but the officers of the Transportation department from the rapid deterioration (and in many cases, the absolute failure) of the motive power of the railroads, were unable to forward the collected supplies as fast as they were brought into depots. After every effort had been exhausted, the supplies not transported, were placed in temporary sub-depots to await events.

Early in March 1865, these questions were carefully considered in a Conference between the Secretary of War and the General Commanding to which the Quarter Master General

and the Commissary General were called. After a general discussion of the Army wants in clothing, forage and subsistence, the Commissary General in reply to the inquiry of the General Commanding stated that the daily delivery at or near Richmond of 500 tons commissary stores, was essential for the Richmond siege reserve and other accumulations desired by the General Commanding; that the depot collections were already sufficient to supply what was then called for by the General Commanding, and if the existing military lines could be held, he felt encouraged as to the future of his immediate charge. Upon the question of railroad transportation, the Quarter Master General then stated the rolling stock at command, and especially the engines had become so much worn, and otherwise so deficient, (and without the means of renewal)—that the daily delivery in Richmond and Petersburg of 500 tons of Commissary stores, in addition to the other requirements of the general service and the demands of the resident population,—could not be guaranteed. He engaged however to use every possible effort to secure from the railroad Companies the desired improvement in their rolling stock. These efforts were made; but as the sequel proved at this late period of exhaustion, the situation had passed all human power to amend.

The Commissary General next submitted the question of the military protection of stores in transit; but the General Commanding in reply dwelt on the increasing pressure upon his lines and his own diminishing forces; no better protection was to be looked for in the coming than in the last campaign.

From the date of this interview until the evacuation, the Bureau's effort continued to be directed to depot accumulations; and with the general result already referred to in the annexed statements of the Asst. Commissary General and the letter of the Secretary of War; and the letters of Majors Claiborne and Dudley, C. S. A.

Upon the earliest information of the approaching evacuation of Richmond, instructions were asked from the Department and the General Commanding for the final disposition of the reserve subsistence stores in that city, reported by Major J. H. Claiborne, Post Commissary, then to exceed in quantity 350,000 rations. The reply "send up Danville railroad if Richmond is not safe," was received from the Army head-quarters on April 2nd, and too late for action, as all railroad transportation had been taken up by superior orders for the Archives, bullion and other service then deemed of prior importance. All that remained to be done was to fill every accessible army wagon;

and this was done and the trains were hurried off. The residue of the subsistence reserve was then distributed among the citizens of Richmond, partly under the direction of the Post Commissary; and after the evacuation had progressed too far for an orderly distribution, what was left was appropriated by the crowds.

It may be added that on March 31st, or possibly the morning of April 1st, a telegram was received at the Bureau in Richmond from the Chief Commissary officer of the Army of Northern Virginia, requesting breadstuffs to be sent to Petersburg. Shipment was commenced at once and pressed to the extreme limit of transportation permitted by the movement of Genl. Longstreet's corps, then progressing to the same point. No call, by letter or requisition from the General Commanding or any other source, official or unofficial, had then been received, or was thereafter received, either by the Commissary Genl. or the Asst. Commy. Genl. or to their knowledge by any Bureau Officer, nor, as will be seen by the appended letter of the Secretary of War, was any communication transmitted thro' the Department channels to the Bureau *for the collection of supplies at Amelia Court-House.*

Had any such communication or requisition been received at the Subsistence Bureau as late as the morning of April 1st, it could have been filled from the Richmond reserves, with transportation on southward bound trains,—certainly so previous to Genl. Longstreet's movement.

On the morning of April 3rd, the Commissary General left Richmond with the Secretary of War for the head-quarters of the Genl. Commanding near Amelia Springs. On the route efforts were made to press to the same point several trains of Army wagons with subsistence, of which a portion were captured by hostile cavalry then operating immediately in the rear of Genl. Lee's army near the Clementon (?) bridge of the Appomatox river. The residue of the trains were then turned off towards Farmville. The Secretary of War and party forced their way with difficulty to Amelia Springs, passing long lines of army wagon trains both head-quarters and subsistence, still burning.

After personal conference, on the early morning of April 6th with the General Commanding at General Longstreet's quarters, as to the disposition of the remaining supplies at Farmville (only four (4) miles off)—the Secretary of War, with the Q.M. General, Commisy. General, and Chief of Engineer's Bureau, proceeded to Farmville—the Commissary General awaiting there

notification from army headquarters whether to hold at Farmville or send down the railroad about 80,000 rations on trains, so held for immediate issue. No communication coming from the General Commanding or the Corps Commanders, couriers were repeatedly sent out, but the military events of that day were very adverse on the left; and that night and during the morning of the 7th, the remnants of the Army passed thro' Farmville taking but a portion of the rations then being issued. On the day before the Commissary General asked from the General Commanding, in the presence of the Secretary of War, instructions or suggestions as to placing these Farmville supplies at the most convenient point of temporary security, the pressure of the enemy's cavalry having caused the supplies of other depots to be moved westward. Genl. Lee replied in substance, the military situation did not permit an answer.

On the evening of the 7th April, the party of the Secretary of War, again met the subsistence trains on the railroad at Pamphlius station twenty miles west of Farmville. From reports of hostile movements close at hand, the Commissary General suggested to the Quarter Master General that the cars be ordered further west, communicating if possible at once with the Genl. Commanding then six miles distant on the Appomatox road. It was however on consultation not deemed advisable under the extreme uncertainty of information, to give special orders. The next morning these cars, or the larger portion were either captured or burned to avoid capture. The surrender followed the subsequent day, April 9th.

From Pamphlius station, the Commissary General accompanied the Secretary of War to Danville, and thence to Greensboro' (No. Ca.) the headquarters of Genl. Jos. E. Johnston.

At Danville, Va., instructions were given to Col. T. G. Williams and Major S. B. French, the ranking officers, to remain with Major Nowland in Virginia and re-organize the commissary service in that State, should events permit. The Bureau head-quarters were continued in North Carolina until the surrender of that Military Department. During the interval preparations were made for the westward movement of certain forces, as then contemplated, but not eventually carried out. In these arrangements, the local depots were found so full and supplies generally so well in hand from Charlotte southwest, that the Commissary Genl. was able to report that the requisitions for which he was notified to prepare could be met. The details of this service were executed, and most ably, by Major J. H. Claiborne, then and to the end acting Asst. Commissary General.

The remaining duties of the Subsistence Bureau from that time until the final surrender of the Trans-Mississippi Department consisted chiefly in arranging, so far as permitted by our rapidly diminishing territory and sources for the supply of returning troops and the hospitals.

Permit me, in closing, to acknowledge in grateful terms the very efficient aid of Col. T. G. Williams Asst. Commsy. Genl. and of the entire Bureau Corps, in the execution of the duties indicated in this report.

Very respectfully,
I. M. St. John
late Commy. Genl. C. S. A.

endorsed: Col. St. John; commissariat.

(Attached to report of Col. St. John, July 14, 1873.)

John C. Breckenridge to I. M. St. John.

Phoenix Hotel, Lexington, Ky.
May 16th/71

My dear Genl.

My absence from home for several weeks has caused a delay in answering your letter in relation to the supplies for Genl Lee's army about the time of the evacuation of Richmond.

Without reciting the various points of your inquiries I will answer them by a general statement.

I took charge of the War department on the 5th of Feb. 1865. The Evacuation of Richmond occurred the night of the 2nd of April. When I arrived at Richmond the Commissary department from the cutting of the Rail Roads by the enemy's cavalry, and other causes not necessary to mention, was in a very deplorable condition.

I placed you much against your wishes at the head of the department. Your conduct of it, under all the disadvantages was so satisfactory that a few weeks afterwards I received a letter from Genl. Lee in which he said that his army had not been so well supplied for many months.

A few days before the evacuation of Richmond you reported to me that besides supplies accumulated at different distant points in Va., and North Carolina, you had ten days rations accessible by rail to and subject to the orders of his Chief Commissary.

I have no recollection of any communication from Genl. Lee,

in regard to the accumulation of rations at Amelia Court-House. If any came to me it was probably by telegram on the day of the evacuation when it was too late to comply. You and I had daily interviews and I am sure that all requisitions were promptly considered and filled when possible.

The second or third day after the evacuation, I recollect you said to Genl. Lee in my presence that you had a large number of rations (I think 80,000) at a convenient point on the Rail Road, and desired to know where you should place them.

The Genl. replied that the military situation made it impossible to answer.

Genl. Lee's letter to me relative to the improved condition of the Commissary department is probably among the Confederate archives at Washington City.

I am General Respectfully and Truly,

JOHN C. BRECKENRIDGE.

Genl. I. M. St. John,
Louisville, Ky.

(Attached to report of Col. St. John, July 14, 1873.)

William Preston Johnston to I. M. St. John.

Lexington, Va. Nov. 12/70

Genl. I. M. St. John,
Louisville, Ky.
Dear General,

Recently on a visit to Ex. Prest. Davis at Richmond, he invited me to aid in correcting the report of his speech made at the Lee Memorial Meeting, which I did under his supervision, at Dr. Minnigerode's house. The report in the main was good, but failed to bring out his meaning in some places; and in others mistook it. A comparison of the speech as reported in the Dispatch of the 4th inst. and that to be issued by the Society of the Army of N. Va. will show the exact extent of the changes made by Mr. Davis.

The point however to which I wish to call your attention is this, that whereas in the report Mr. Davis was made to say that Genl. Lee failed and had to surrender for "want of supplies," in the corrected speech you will find these words struck out and "deficient transportation" substituted.

I give the *words* from memory; but that is the idea. Further: Mr. Davis went on to say that it was not for want of rations that Genl. Lee abandoned his position.

Lest this should escape my memory I transmit it to you in writing as incident that may some day be of importance to you.

I do not doubt that Mr. Davis would confirm this, though suppose he would not wish to be dragged into controversy at this time.

Very truly and Respectfully yours,
WM. PRESTON JOHNSTON

Lexington, Va. Feb. 15th, 1871.

My Dear General,

Your letter enclosing memorandum and notes of Confederate Comm. dept. for use of Col. Marshall, was received to day. I showed them to Custis Lee, whose general impression coincided with the statement so far as his knowledge went. I send them to Col. Marshall to day.

Very truly your friend,
WM. PRESTON JOHNSTON

(Attached to report of Col. St. John, July 14, 1873.)

Thomas G. Williams to I. M. St. John.

Richmond, Va. September 1865

General,

At your request I have the honor to make the following statement, from the best data I could obtain.

On the 1st April 1865, the subsistence Bureau of the Confederate States had available for the Army of N. Va.:—

At Richmond	300,000	rations	bread and meat
" Danville	500,000	"	bread
" "	1,500,000	"	meat
" Lynchburg	180,000	"	bread and meat

" Greensboro, N. C. and the vicinity of Danville there were in addition, not less than 1,500,000 rations of bread and meat.

There were also at the points above named large supplies of tea, coffee and sugar which were reserved, chiefly for issue to Hospitals. These supplies were held ready for distribution upon the requisition of the Chief Commissary of Genl. Lee's Army.

No requisitions were then on hand unsupplied. On the morning of 2 April 1865, the Chief Commissary of Genl. Lee's army

was asked by telegram, what should be done with the stores in Richmond. *No* reply was received until night. He then suggested, that if Richmond was not safe, they might be sent up on the R. & Danville R.Road. As the evacuation of Richmond was then actively progressing, it was impracticable to move those supplies.

For many months previously the Army wagon trains had been employed in collecting subsistence throughout the country, and hauling directly to the Army near Petersburg. No report of these collections was ever made directly to the Bureau. So no estimate can be made of the amount of stores held in that way on or about the 1st of April 1865.

In reply to your question with regard to the establishment of a depot of supplies at Amelia Ct. House, I have to say, that I had no information of any such requisition or demand upon the Bureau.

During the month of March and up to the 1st April /65 the combined exertions of our own officers and those of the Volunteer Commissariat, kept all of the Sub. Depots on the lines of R.Road in Va. nearly always full—the means of transportation were constantly inadequate.

Very Respectfully Your obt. servt.

THOS. G. WILLIAMS

(late) Lt. Col. & Acty. Asst. Com. Genl.

C. S. Army

to

Genl. I. M. St. John,

(late) Comy. Genl. & Sub. C.S.A.

J. H. Claiborne to I. M. St. John

(Attached to report of Col. St. John, July 14th, 1865.)

Richmond 3rd June 1871.

General,

Your communication calling attention to difference in my statement of numbers of Rations at this Post, at the time of the evacuation of the city (400,000 rations of bread and meat), and that of Lt. Col. T. G. Williams Asst. Comy. Genl. (300,000 rations of bread and meat)—has been duly considered.

This difference has evidently been caused by reports to the Bureau, prior to the latest movements before the evacuation of the city, and I feel fully assured in reiterating my statement, that I controlled the quantity claimed; and more, that I had under my eye, stores put away by speculators and hoarders, that

could have been gathered in short time, and had been permitted to remain undisturbed, until necessity demanded.

I distributed a large number of Rations on the day and night of the evacuation to every demand from army source, to many of the citizens, and then with the pressure of the evacuation, the supplies were taken possession of by the crowd.

No order was received by me, and with full opportunities of information if it had been given, I have no knowledge of any plan to send supplies to Amelia Ct. House.

Under such circumstances, with Transportation afforded, there could readily have been sent about 300,000 rations, with due regard to demands upon this Post.

During the retreat, supplies were found at Pamplius depot, Farmville, Danville, Salisbury, Charlotte; and being placed under orders as Asst. Comsy. Genl. I forwarded supplies from South Carolina to Genl. J. E. Johnston's army, and also collected supplies at six or seven named points in that State, for the supposed retreat of Gen. Johnston's army through the state. This duty (with a full determination at the evacuation of this city) to follow the fortunes of our cause, gave me opportunity of ascertaining the resources of the country for my Department. The great want was that of Transportation, and specially was it felt by all collecting Commissaries for a few months before the surrender.

Very Respectfully your obt. servt.

J. H. Claiborne,

To (late) Major and C. G. C. S. A.

Genl. I. M. St. John,

(late) Comy. Genl. & Sub. C. S. A.

(From Revd. T. M. Dudley of Baltimore)

Baltimore, Md. July 7th, 1873.

My dear General,

I have read carefully the statement you have submitted to the Hon. Jeffn. Davis, of the closing operations of the Confederate States Commissary Dept. and I write to say that my recollection of the events of that troublous time entirely concurs with your own.

My duties as assigned by yourself gave me full knowledge of the effort inaugurated at that time to avail of the influences and labors of distinguished private citizens, and I distinctly remember that the results were such as you indicate.

With the accumulation of supplies at the several depots, I

had no official connection, but I am quite convinced that the statements of yourself, Col. Williams, and Major Claiborne are entirely correct.

Very respy. and truly yours,
(signed) T. M. Dudley Jr.
(late) Major and C. G. C. S. Army

Genl. I. M. St. John,
(late) Commy. Sub.
C. S. Army.

W. G. Richardson[1] *to Jefferson Davis.*

(From Confederate Museum.)

Davidson College,
July 23d 1873.

Hon. Sir,

The Editor of the "Charlotte Observer" a number of which I send is a nice gentleman, a friend of mine, and none the less a friend from his disposition to copy into his own paper everything he sees as to your movements.—The N. C. Presbyterian, published at Fayetteville, lately noticed in very graceful terms your forthcoming history of the war. I do not read the newspapers very much, but I believe there are many of our N. C. papers that take great personal interest in all you do or propose to do. I like the people here very much. They have rendered themselves exceedingly pleasant to me and mine. I trust the "history" is making rapid progress to completion and that the public will soon be favored with it. I believe *you* capable of doing full justice to the patient sufferings and heroic bearing of the people of this state. When I was so severely wounded in the battle of Gaines's Mill (in 1862), I resolved at once not to call any one's attention to the fact, but, with the aid of my

[1] Wilson Gaines Richardson, born 1825, Maysville, Ky. Graduated 1844 at University of Alabama, delivering the valedictory. For four and a half years was connected with the department of Ancient Languages and of English in the University of Alabama. Spent three years traveling in Europe. Professor of Latin and French, University of Mississippi, 1854-'61. Paymaster C. S. A. 1861-'65. Principal of Female Institute, Oxford, Miss., one year. Professor in Davidson College eight years, 1866-1874. Professor of Latin and French, Central University, Ky., four years. Professor of Languages Austin College, Texas, three years. In 1882 entered Princeton Seminary and prosecuted his theological studies. Pastor Staunton, Tenn. Died 1886. Author of a catalogue of the Library of the University of Alabama: "Latin Pronunciation in American Colleges," and Revising Editor of the Encyclopaedia of the New West. M. A. University of Alabama, Ph. D. Hiram College.

musket, began to pole myself to the rear to lie down and die in peace. After I had withdrawn about 100 yds. a noble little fellow of my own company (the Lamar Rifles) came running to my assistance and *made* me lean upon him. I tried in vain to get him to return to the front. As I halted along, badly wounded in my left thigh he was shot in his right thigh and there we stood up together in the field and I was more helpless, than before I lost my gun. By appealing to passers by I got to a little branch and thus had water enough to slake my thirst and bathe my wound for I had given my wounded comrade my canteen. Here were some ambulance-men dodging behind the bank. They declined to help me because I did not happen to belong to their "——th regiment of —— Vol^{s}"—To cut a long story short, I soon fell into the hands of some of Gen. Branch's men—good old-fashioned North Carolinians, who only cared to know that I was a wounded man needing help. Four of them bore me off on a litter—3 of the 4 were certainly North Carolinians, and in a N. C. ambulance I was conveyed to Branch's country hospital where the suffering sons of the Old North state were *swarming*, with a plentiful admixture of *outsiders*, and even Yankees. I was kindly cared for, and a few days afterwards, when I reached a general hospital in Richmond (the Chimborazo), I found *it* too *stocked* with the suffering but patient N. Carolinians.

But it is a great impertinence in me to be thus consuming your time.

I have just contributed a brief article to Johnson's Illustrated Universal Cyclopaedia, (the first vol. of which is to appear soon,) on Gen. Wm. Lee Davidson, of revolutionary fame.—He was killed at Cowan's Ford in a skirmish with Cornwallis's army Feb. 1, 1781. This college was named after him. The Ford is not more than 9 m. distant. The militia were driven back from that point and Tarleton with his dragoons and the 23d regiment was sent in pursuit, Lee, Lossing, et al. They overtook them at Torrance's (or Terrant's) Tavern about 3 miles above here. Now after nearly 100 y. a friend of mine exhumes on his place near Charlotte a metal military button with 23 in large and plain figures, 3 ostrich feathers, and a motto $\left\{\begin{array}{c}\text{(feathers)}\\ \text{ICH DIEN}\\ 23\end{array}\right\}$ —the last letter *very* distinct. It is a genuine relic. That regiment is mentioned as being in the battle of Camden, and elsewhere—and a very interesting account of the motto which is evidently ancient German ICH DIEN—I serve.

Refresh yourself with Hume's England—battle of Crécy.

The good lady is out calling. If she were here in my study and aware that I was writing to *you*, to whose card-picture she has assigned such a prominent place in her photograph album, she would be sure to send kind greetings to you and Mrs. Davis. If you should again have to fly from cholera, you could scarcely find a safer retreat than my humble Carolina home.

Our late Commencement was a brilliant success.—During term time I have work enough to do to keep any man out of mischief—

All well. Your sincere friend,

(Signed) W. G. Richardson.

Jefferson Davis to Marcus J. Wright.[1]

(Davis Letter in Collection of General Marcus J. Wright, Washington, D. C.)

Private

Memphis, Tenn., 26th July 1873

Genl. M. J. Wright

Dear Sir,

I send with this a copy of a St. Louis paper edited by a lady, the widow of a Confederate soldier, and by birth a Mississippian, descended from one of the oldest & best families in the state.

Please look at the sheet and if you can consistently do so give it a helping notice.

The articles marked were so indicated by the person who sent the paper to me.

(Jefferson Davis)

J. A. Early[2] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Lynchburg, Va., Sep. 5th, 1873.

My Dear Sir,

Yours of the 30th ultimo was received day before yesterday, but I have delayed answering it for reasons you will gather from the enclosed slips.

[1] General Wright is now living in Washington and has reached the advanced age of 92 years. He was a gallant brigadier-general from Tennessee in the army of the Confederate States.

[2] Early, Jubal Anderson (1816-1894), a soldier, was born in Franklin County, Va., November 3, 1816, graduated at West Point in 1837, and was assigned to the artillery. He served in the Seminole War, 1837-1838;

Of course, the fellow who gave the reputed interview with you at the Springs was not there. He lied, and the paper which published the interview lied from the beginning. You will see from the enclosures how the whole thing has culminated. The author of the "interview" has written a letter to the Lynchburg Republican acknowledging that he did not interview you but that some one else told him of things that you said, and from that the whole thing was formed.

The Republican is the organ of our friend Mahone and is edited by men of no character whatever. I have been very patient with them, and have given them every opportunity to back out of the scrape, but they have rushed incontinently into a pit.

I have sent you several articles or letters written by myself in reference to your speech at the Montgomery White. In all this, I have not intended to defend *you*, but have been trying to vindicate the *manhood* (to say nothing of the *womanhood*) of Virginia. The very few journals that chimed in with the assaults on you are squelched.

Present my very best regards to Mrs. Davis when you write to her or see her, and rely upon me, always, as one upon whom you can depend, according to abilities.

Most Truly,
Your friend,

J. A. Early.

Hon. Jefferson Davis.

endorsed:
Genl. Early; ansd. 21st Oct. 1873; about a slander in regard to a speech by J. D. at Va. Springs.

resigned from the army, July 31, 1838; engaged in the practice of the law at Rocky Mount, Va.; was a member of the State legislature, 1841-1842; and was commonwealth attorney, 1842-1847, and 1848-1852. During the Mexican war he served as Major of Virginia volunteers. In 1861, as a member of the Virginia convention, he opposed secession. He was engaged in the first battle of Manassas, as colonel of the 24th Virginia and was promoted brigadier general. After Fredericksburg he was made major general, January, 1863, and especially distinguished himself in the Pennsylvania campaign and at Gettysburg. He was made lieutenant general in May, 1863, for brilliant work at Spottsylvania Court House. In 1864 he marched upon Washington City, and caused some consternation. He was then active in the Shenandoah Valley against Sheridan. After the war he traveled in Texas, Mexico, and Canada. Returning to Virginia he resumed his law practice, but spent much of his time at New Orleans. He died at Lynchburg, Va., March 2, 1894. Consult, Lieutenant General Jubal Anderson Early; Autobiographical Sketch and Narrative of the War between the States, with notes by R. H. Early, 496 pp., Philadelphia, 1912.

clipping from newspaper enclosed in
letter of J. A. Early to
Jefferson Davis.

Mr. Davis' Late Speeches.

A Vigorous Letter from Gen. Jubal A. Early.

Gen. Early lashes the Miss Nancies and tells a few Truths.

Lynchburg, August 26th, 1873.

To the Editors of the Petersburg Index and Appeal:

Having just returned from the mountains, I take an early opportunity to thank you for your manly editorial (so promptly written) in reference to the brief speech made by President Davis at the Montgomery White Sulphur Springs. It was what I would have expected from the soldier editors of a true Virginia journal. I will "improve the occasion" by adding a few observations, which, I trust, may not be out of place. It seems that the utterances of Mr. Davis before the Southern Historical Convention have stirred the bile of "loyal" Northern journals, and that, by a sympathetic process, the serenity of a few of our excessively discreet Conservative organs has been disturbed, causing them to protest their dissent from Mr. Davis' views, and to express their apprehensions that the harmony of the Conservative party of Virginia may be interrupted, and its success jeoparded by his indiscreet declarations.

I will not insult the gentle sex by calling these fears *womanish*—they are, in fact, unwomanly, as well as unmanly, being puerile, childish and ridiculous. What is it that Mr. Davis has said, which has rendered some of our fainthearted editors so eager to purge themselves of all complicity in his sentiments after (and not until after) Northern journals had indicated their disapproval? Why, he said that "we were cheated rather than conquered," and he declared his opinion that if the results of the success of the Washington government and of our overthrow, which have taken place, could have been foreseen, we would not have been conquered! He had reference to the resolution of the United States Congress, the diplomatic circular of Seward, and the proclamations of Lincoln, declaring that the war would be conducted solely with a view to a restoration and preservation of the Union, and that the State governments would remain intact, with their constitutions, laws, customs and institutions the same as before; and it was in this connection that

Mr. Davis said many of the people of the South had been cheated. Is not this true? If it had been anticipated that it was the purpose of the Washington government, not only to abolish slavery, but also to destroy the regular State governments of the South, enfranchise the negroes, and subject the white people to their rule, does any sane man, North or South, doubt that the Confederate Government and its armies in the field would have been far more thoroughly sustained than they were? Nay, is it not more than probable that, if the true objects of the war against us had been boldly avowed in the beginning, many thousands of those who took sides against us in that war would have withheld their support from the Federal Government, if they had not give it to us? In that event would not our chances of success have been far greater than they were, if not indeed a certainty? Where then is the harm or imprudence in Mr. Davis' declaration of his opinion, that, but for the fraud practiced we would have been successful? The pitiable attempt to distort this declaration into an assault upon the fame of Generals Lee and Johnston, is too absurd to require refutation. No one who heard Mr. Davis' utterances had the remotest conception that such an idea was intended.

The other declaration objected to, is the one, that he had never seen a Southern woman who was reconstructed, and though the men of the present day may yield the principles for which they contended, the children who succeed them will cherish and maintain them. If any have the right to complain of this remark, they are the women of the South, and they make no fuss about it. How is the Conesrvative party in this State to be injured by it? Not only is Mr. Davis not a citizen of this State, but I have the very best reason for saying —nay, I am willing to take my corporal oath—that he did not intend to include General Kemper, Colonel Withers, Mr. Daniel, or the Central Conservative Committee, among the unreconstructed *women* of the South. As to the first two, I feel well assured that, like all who know them, he regards their manhood as having been fully established and vindicated on the battlefield, as well as at home.

But, are we willing to acknowledge that we did not contend for the principles of civil and constitutional liberty? If so, then we were rebels and traitors. If we did fight for the principles of civil and constitutional liberty, then where is the Virginian who will dare to say, that he does not desire that those who are to come after us shall cherish and maintain those principles?

But it is said that it was imprudent for Mr. Davis to say anything, because his words were likely to be seized hold of and distorted from their true meaning. Really this is strange doctrine for a country claiming to be Republican in its institutions, and where liberty of speech has been regarded as one of the great bulwarks of freedom. Edmund Burke said that, "prudence when carried too far degenerates into a 'reptile virtue,' which is the more dangerous for the plausible appearance it wears"; and this remark has been cited by the New England Lexicographer, Webster, (or his editor,) to illustrate the difference between the words wisdom and prudence. The prudence recommended by our most politic politicians very often now assumes the shape of "a reptile virtue." Why should we care what such journals as the New York Herald, New York Times, Washington Chronicle, et id omne, &c., say about us? Are not all our acts, sayings, customs, &c., the constant theme of misrepresentation, perversion and abuse in the daily papers, pictorial journals, periodical literature, and books of the North? If we cannot have political independence, let us have independence of thought at least.

And now let me say, that if there be some time-servers who are willing to yield the principles for which we contended, there are still those surviving who believe that good government can never be restored by an abandonment of principle, and who intend to vindicate the principles involved in our late struggle, and the motives and conduct of those who fought to maintain them. Besides the appeal to the source of all power and justice, there *is* another appeal from the so-called "arbitrament of arms" and the judgment of those who are over-awed or seduced by power, which lies before the judgment seat of foreign nations and posterity, and that appeal will be taken. It was the purpose of the convention lately assembled at the Montgomery White Sulphur Springs, to inaugurate that appeal, and if there be treason in that, then let the adherents of lawless power make the most of it. Let the United States Government, if it thinks proper, call into requisition its whole military and naval power to quell the unreconstructed women of the South, and suppress "the truth of history." Many of its adherents have good reason to dread the latter, certainly, but physical power cannot crush it. Is it feared that the late proceedings in Montgomery will cause the Federal authorities to interfere in our elections? Do we not know that all possible means foul as well as fair, will be employed to control them anyhow?

In regard to myself, I have this to say: when, with all the ability I possessed, I was trying to avert the conflict between the two sections of the country, the journal for which the present Radical candidate for Governor was supposed to be a writer, designated me as a submissionist of the deepest dye, and very plainly insinuated that a commission as brigadier-general of militia, which Governor Letcher had bestowed on me, would be used for riveting the fetters on my own people. Afterwards, when I was in the field to defend the State against invasion, the present chairman of the Radical Central Committee, then avowedly an ultra secessionist, in a letter to the Richmond Dispatch, signed "Ithuriel," very strongly insinuated that I was disposed to betray our cause by a sacrifice of my command to the enemy, (whom he designated as my "friends") in the first battle of Manassas, when my brigade made the movement, which both Generals Johnston and Beauregard have said turned the tide of the battle. If the party of which these persons are now "loyal" members and shining lights, charge me with plotting treason, it may appear a little curious, but what need I care? And if some Miss Nancy of the Conservative press of the State shall become frightened at a shadow, what difference will it make—a thousand years hence?

Respectfully your obd't servant,
J. A. Early.

clipping from newspaper enclosed in letter of J. A. Early to Jefferson Davis.

Blood and Fire—General Jubal Early Exposes a Terrible Plot.

(Letter in Lynchburg Virginian.)

Lynchburg, August 29, 1872.

Sir,—

As our recent Historical Convention at the Montgomery White has kicked up a great muss among our "loyal" brethren of the North, whose imaginations are disturbed by "chimeras dire" and all sorts of queer notions, I hasten to lay before the public the following letter, this morning received from the "Return Letter Office," Washington city. It seems that the officer having charge of that business has, after opening and reading it, deemed the leter of such value as to cause him incontinently to subject the Government to the payment of six cents in official stamps, and myself to six cents in the ordinary

stamps, in order that I might receive the valuable communication (on which the postage was not prepaid) before there was time for it to cool.

I copy the letter literally, spelling, punctuation, and all, as far as I am able to decipher it; and it will make a fitting accompaniment to the recent Charlotteville letter to the New York Times. The name of the writer I cannot make out, as it is some unspellable as well an unpronounceable German name, written in what are to me hieroglyphics.

"New York, August 18, 1873.

Southern Gentlemen of the Historical Society, and very Honorable President, Mr. Jubal A. Early, General and Esquire:
Dear Sir:

It is my first occasion to announce to you and all those gentlemen wich suffered for the Southern cause a kind of a consolidary relief!

You and all may give up the Southern cause as a lost cause, —I do and will not give up the idea, that the South and West must and will have their independenzy from hungrey, corrupt, fiendist brute yankee rule!

And I have the great remedy for it!

I am the inventor of a perfect flying-mashine for to navigate the current; with that flying-mashine every aeronaut may bombard cities like New York, Boston, Philadelphia, and every Yankee city, and burn it to ashes. If we use it as artillery in the air, if other civil war breaks out, and it will come again, mark by words gentlemen, I will dedicate my so important invention for the southern cause and her independenz, and keep it as secret. That side of a government wish has employed my flying-mashine must be victorious! Because with my flying-mashine every aeronaut is able to destroy man-of-war fortifications of every description and troops on the battle-field, or on the marsh, or encampments. I am a american citizen, but for the South, more as better one as for the North! I am born in Germany, and hate the swindling magots of humbugging Yankees like a good Christian must hate the Devil!

Bismark's motto is Blood and Iron!

And my motto is Blood and Fire! I am in very poor circumstances and seek for help with my invention which are very valuable, for instance I have invented new motors which are saving 100 lbs. of fuel and no danger of explosion possible etc and no more!

If I had the honor to see any of you gentlemen here in New York or send me that much money for to go to Montgomery etc it would be for you and all the great fortune!

Now General, Yours Respectfully

Obt Servt

" _____

"Engineer and Inventor."

Forewarned is to be forearmed, and if the denizens of northern cities shall some fine morning be awakened from their slumbers by a sheet of fire and brimstone pouring down from a fleet of flying machines upon their devoted habitations, then it will not be because they have not been warned of their danger. Whether it would be better for the President to call at once for an increase of the army and navy, or rely upon the "Grand Army of the Republic" and the militia, to meet this new danger which threatens the "life of the nation," it is for wiser heads than mine to suggest.

The original of the above letter is at the command of the "Archive Office," if it thinks proper to file it among the records of the "rebellion," so-called, and it can be had for much less than the $75,000 paid John T. Pickett for his probably bogus documents.

In conclusion, I will say that if a trap was designed by the foregoing it was very poorly set; but if it really comes from some poor foreigner, whose brain has been unsettled by striving after impossible inventions, then the question arises, whether the person at the head of the "Return Letter Office" would have been half as prompt to return a letter enclosing money or a check as he has been to forward to me this most important and valuable document.

Respectfully,
J. A. Early.

clipping from Lynchburg Republican of Aug. 30, 1873.
enclosed in letter of
J. A. Early.

Gen. Early's Letter.

We publish elsewhere a letter from our distinguished townsman, Gen. Jubal A. Early, in which he expresses grave doubts as to the authenticity of the interview of the *Republican* reporter with the Hon. Jeff. Davis. We can only repeat that our

reporter is a gentleman of high character and great intelligence, and until Mr. Davis gives it an emphatic denial, we are disposed to give the purported interview the fullest credence.

We think Gen. Early fails to draw a proper distinction between newspaper enterprise and the prudence which should at all times characterize Mr. Davis' utterances. Assuming that Mr. D. has determined to unbosom himself, the *Republican*—being a live newspaper—cannot reasonably be expected to remain quiet, and permit other journals to distance it in enterprise.

Letter from General Jubal A. Early.

Lynchburg, Aug. 29, 1873.

Editors of the Lynchburg Republican:—

Sirs.—As you have heretofore expressed your condemnation of Mr. Davis' utterances at the Montgomery White Sulphur Springs, and again in your paper of this morning, say: "We hope hereafter Mr. D. will endeavor to think a dozen times before he speaks once," will you permit me to ask you, most respectfully, why you sent a special reporter to interview him, and then published the alleged result of that interview as contained in your paper of the 27th?

I will take occasion to say that I have very good reason for believing that the interview as reported did not take place; certainly, not on the day alleged, the day after his remarks before the Convention were made. In the first place, Mr. Davis has consistently refused to be interviewed any and everywhere. In the next place, he is made to say that it had been a special privilege to meet, among others, Generals Lee, Pickett and Preston, when the fact is that Generals Lee and Pickett had left the Springs before Mr. Davis' arrival, and he did not see them at all; and there was no General Preston there. Colonel Robert T. Preston had been there, but left before Mr. Davis' arrival.

In the third place, Mr. Davis had fixed his departure for Tuesday morning, the day of the alleged interview, but deferred it for one day, upon my promise to ride with him to the Yellow Sulphur Springs on that day (Tuesday, the day after his remarks were made.) On that day, Colonel Preston Johnston and myself breakfasted with Mr. Davis, and then rode with him in Major Cowan's barouche, which was driven by the Major, to the Yellow Sulphur. We were with him during the whole time of that trip, as we had been all the morning, returning just a few

minutes after 4 o'clock. Except for a few minutes, when Mr. Davis stepped to his room to make some little arrangement of his toilet, I was with him until the close of the dinner given by the proprietors, which was about 9 o'clock P.M. He then retired and left next morning at half past 8 o'clock. As we were walking to the dinner I informed Mr. Davis that the proprietors had invited some reporters, and he determined to make no remarks in response to any toast to him. I do not think, therefore, that he would have permitted himself to be interviewed knowingly.—Moreover, he is made to state to your reporter, voluntarily, that he is writing a book, when he mentioned no such thing to me, nor as I believe, to Col. Johnston, though there was abundant opportunity and occasion for him to do so, and we were among the most intimate personal friends he had at the springs. I do not think he would have said to any one, for publication, what he is made to say about General Longstreet.

If the writer of the interview published by you had the alleged conversation with Mr. Davis, it must have been at different times, and when the latter thought he was conversing with a private gentleman who would make no report of his remarks. The remarks thus attributed to him are stronger in some respects than anything said by Mr. Davis in his remarks before the Historical Convention, and I cannot recognize the propriety of the charges against him by a paper that has given publicity to what, if uttered at all, was not intended for the public eye.

Respectfully, your obedient servant,

J. A. EARLY.

clipping from the Lynchburg Republican, Sept. 4, 1873, in letter from J. A. Early.

The Alleged Interview with the Hon. Jefferson Davis.

In another column we publish an extract of a letter from the Hon. Jefferson Davis, written to Gen. J. A. Early, in which that distinguished gentleman emphatically denies having had any interview with the Reporter of the Republican, or anybody else, of the character detailed in the alleged interview as published in this paper. Immediately on the publication of General Early's letter, a few days since, throwing doubt upon the credibility of this report, we addressed a letter to its author, calling his attention to the General's letter, but up to present writing have heard nothing in reply. Under the circumstances, having vouched for the intelligence, high standing and reliability of the

gentleman who furnished the report, we deem it due to ourselves to state that the reported interview was written and furnished by the Rev. Thos. Nelson Conrad, editor of the Christiansburg *Messenger*, who in a private letter requested that the manuscript, if not used the day received, should be sent back in order that it might be published in the next issue of the *Messenger*.

We only know of Mr. Conrad as a former Professor in Blacksburg College, (a religious institution,) at present the editor of a leading Conservative organ in the Southwest, and a local preacher of one of the leading religious denominations in the State; and we can hardly realize that he would make the *Republican* or any other respectable journal the medium for detailing an interview which never occurred. But Mr. Davis emphatically goes back on the alleged interview, which devolves on Mr. Conrad the duty of substantiating his report, or a confession of having made the *Republican* his victim.

Another Letter from General Early.

Lynchburg, Sept. 3d, 1873.

Editors of the Republican:

As in your paper of the 30th ultimo, in which was published my card in reference to the alleged interview of Mr. Davis, you reiterated your endorsement of the authenticity of that interview, I herewith forward you an extract from a letter this morning received from Mr. Davis himself. You will observe that the letter is dated the 30th ultimo, when it was impossible that Mr. Davis could have seen my card or known anything about it.

Respectfully, &c.

J. A. Early.

"Memphis, 30th Aug. 1873.

Gen. J. A. Early:

In the *Appeal* of this date, which was sent to you, there is a long article copied from a Lynchburg paper, which purports to be a conversation held with me by a reporter of that paper at the springs.

I never held any such conversation with anybody, and if any reporter of the Lynchburg *Republican* held a conversation with me, he concealed his character. There is to my mind internal evidence in the article that the author was not there, for he

mentions as the persons I was pleased to meet some whom I did not see and one who I think was not there, and omits some whom I was glad to see. He attributes to me, also, sentiments I did not entertain, and, therefore, could not have uttered." . . .

clipping from the Lynchburg News
of Sept. 5th, 1873.

The Alleged Interview of the Hon. Jefferson Davis, by a Reporter for the Lynchburg Republican.

In my letter addressed to the Lynchburg Republican, dated the 29th of August, which appeared in its issue of the 30th ultimo, I stated the reasons why I did not believe the interview alleged to have been held with Mr. Davis (which appeared in its issue of the 27th of August,) to be authentic; but that paper was not satisfied with my reasons, and reiterated its endorsement of the correctness of the report, as well as the vindication of its own "enterprise" in procuring the interview. Having received a letter from Mr. Davis on yesterday (the 3rd. inst), which was written without any previous communication from myself to him, I transmitted to the Republican a copy of that part of the letter in which Mr. Davis denied having had any such interview with any one, or any interview with a reporter for the Republican, unless the latter concealed his character; but this does not seem to satisfy the Republican, and in its editorial comments in the paper of this morning, giving my note with the accompanying extract from Mr. Davis' letter, it seems disposed to raise a question of veracity between Mr. Davis and the Rev. T. N. Conrad, whom it gives as the author of the reputed interview, with a parade of his religious and clerical character, and to slide out of the issue itself. Having given it every possible chance to do justice to a distinguished and most honorable gentleman, I deem it proper to place before the public, through another medium, the true state of the question.

The reported interview given in the Republican of the 27th of August, was prefaced with the following editorial notes and remarks:

"An 'Interview' with Mr. Davis. The Unreserved Expressions of our Ex-President.

Not to be outdone by our Northern contemporaries, the Republican dispatched a reporter to the Montgomery White Sulphur Springs, for the purpose of "interviewing" ex-President

Jefferson Davis, with the result recorded below, the genuineness and correctness of which we do not hesitate to vouch for:"

The issue of the 30th, containing my letter, had the following leader:

"We publish elsewhere a letter from our distinguished townsman, General Jubal A. Early, in which he expresses grave doubts as to the authenticity of the interview of the *Republican* reporter with the Hon. Jeff. Davis. We can only repeat that our reporter is a gentleman of high character and great intelligence, and until Mr. Davis gives it an emphatic denial, we are disposed to give the purported interview the fullest credence.

We think Gen. Early fails to draw a proper distinction between newspaper enterprise and the prudence which should at all times characterize Mr. Davis' utterances. Assuming that Mr. D. has determined to unbosom himself, the *Republican*—being a live newspaper—cannot reasonably be expected to remain quiet, and permit other journals to distance it in enterprise."

It will be seen that in both these editorials, the *Republican* claims great credit for its "enterprise" as a "live newspaper," in procuring the said interview, and for not being behind any of its contemporaries.

In its issue of this morning, is contained the following editorial:

"The Alleged Interview with the Hon. Jefferson Davis.

In another column we publish an extract of a letter from the Hon. Jefferson Davis, written to Gen. J. A. Early, in which that distinguished gentleman emphatically denies having had an interview with the reporter of the *Republican*, or anybody else, of the character detailed in the alleged interview as published in this paper. Immediately on the publication of General Early's letter, a few days since, throwing doubt upon the credibility of this report, we addressed a letter to its author, calling his attention to the General's letter, but up to the present writing have heard nothing in reply. Under the circumstances, having vouched for the intelligence, high standing and reliability of the gentleman who furnished the report, we deem it due to ourselves to state that the reported interview was written and furnished by the Rev. Thos. Nelson Conrad, of the Christiansburg *Messenger*, who in a private letter requested that the manuscript, if not used the day received, should be sent back, in order that it might be published in the next issue of the *Messenger*.

We only know of Mr. Conrad as a former Professor in Blacksburg College, (a religious institution,) at present the editor of a leading Conservative organ in the Southwest, and a local preacher of one of the leading religious denominations in the State; and we can hardly realize that he would make the *Republican* or any other respectable journal the medium for detailing an interview which never occurred. But Mr. Davis emphatically goes back on the alleged interview, which devolves on Mr. Conrad the duty of substantiating his report, or a confession of having made the *Republican* his victim."

This seems to abandon the claim for enterprise so persistently made by the *Republican*, and to throw the burthen of the whole thing, enterprise and all, on "the Reverend Thomas Nelson Conrad, editor of the Montgomery *Messenger*," late "professor in Blacksburg College (a religious institution,)" and at present "a local preacher of one of the leading religious denominations in the State," between whom and Mr. Davis, it seems desirous of raising a question of personal veracity, and of whistling the whole thing off.

There is a preliminary question to be settled, before the question of veracity as to the interview can be raised; and that is, whether the Republican actually did dispatch the Rev. T. N. Conrad, or any one else, to the Montgomery White Sulphur to interview Mr. Davis, and whether the said reporter did appear there in that capacity, and inform Mr. Davis of his true character. When that question is settled, and the *Republican* vindicates its own claim to superior enterprise, then perhaps, the other question, if Mr. Conrad thinks proper to prosecute it, may be considered.

Upon this point I will say that it was well known that the Richmond *Dispatch*, *Enquirer*, and *Whig*, and the Lynchburg *Virginian* had their reporters at the Springs all the time, and it was understood that a reporter for the New York *Herald* appeared while Mr. Davis was there, but none of them assumed to have interviewed him. I certainly heard of no reporter for the *Republican*, and when the preliminary question indicated is settled, then, I would like to have time, place and circumstance of the alleged interview given.

I will conclude by saying that the remarkable course of the *Republican* has forced this card from me, and I regret the necessity for it.

Respectfully,

J. A. Early.

Lynchburg, Sept. 4th, 1873.

clipping enclosed by J. A. Early, 5th Sept. 1873.

A Defence of Mr. Davis.
(From the Chester Reporter.)

This plain, frank and certainly harmless expression of his sentiments by the distinguished ex-President has raised a perfect howl at the North, and in response thereto the weak-kneed and time-serving among the presses at the South have caught up the refrain, and are saying all manner of unmanly and unbecoming things about Mr. Davis and his speech. (Here the comments of The News and Courier are quoted.) In our judgment just such stuff as this has done the South ten thousand times more damage than all the speeches Jeff. Davis ever made. It shows to our conquerors that we don't respect ourselves, and that we are fit subjects for the oppressions and indignities their base natures prompt them to impose upon us. The South has tried cringing and fawning long enough. No thrift has followed it. We have done everything since the close of the war that could be devised in the way of concession to appease the wrath of our implacable foes; but it has been without avail. Why? Simply because the North knows that it has all been done for policy; that, whatever the politicians who are seeking place may say, the heart of the people is as true now to that cause for which they gave and suffered so much as it was when the colors of the South were floating the most bravely. They have overpowered us and have made us submissive to their authority. This does not satisfy them. They would crush out of our souls the love we feel for the cause for which we fought, because in that sentiment they recognize an unrelenting enemy to the warfare they are waging on civil liberty itself. They cannot crush out of us our heaven-implanted love for freedom, and hence they hate us. To our mind there is but one sentence in Mr. Davis's speech that even the most captious Northern Radical could take exception to. That is where he says "we have been cheated rather than conquered, and could we have foreseen the results of the surrender we would have been free to-day." Is there any Southern man that will deny the truth of this? If the men of the South had realized in 1862 that the loss of their cause meant that they would be the slaves of slaves, can there be any doubt that there would have been such an uprising as would have carried the Southern Cross to the top of Bunker Hill Monument, if so far had been necessary to save them from the threatened doom? The South never realized the consequences of defeat. It relied

upon the lying resolutions of the Federal Congress, and believed that even if it was overpowered things would go on as they had done before. In this way she was "cheated" to her defeat. The wild red man of the plains always abates somewhat of his accustomed tortures when his captive deports himself with unflinching courage and manifests no signs of coward crouching. Let us hereafter assume that our Northern conquerors have as much magnanimity as the savage Indian. Let us talk out plainly, squarely and boldly what we think and feel, and if they don't like it let them do what they please to help themselves.

Jefferson Davis to G. W. C. Lee.

(From Confederate Museum.)

Baltimore,
10th Nov. '73.

Genl. G. W. C. Lee,
My dear Friend:

Allow me to offer to you the expression of my sincere sympathy with you in this hour of your bereavement.

The grief you feel is intensely shared by me, for your mother was to me the object of highest admiration and most respectful regard. A bitter experience has taught me how vain are the words of consolation in such sorrow as yours, but you have the comfort of knowing that the loss is ours, the gain is hers.

I am ever cordially yours,

(Signed) JEFFERSON DAVIS.

Mrs. V. C. Clay[1] *to Jefferson Davis.*

(From Confederate Museum.)

Huntsville, Alabama.
Nov. 21st, 1873.

My beloved friend:

Weeks after you had passed us our quiet Lodge, we learned it thro' Memphis friends—for your prized letter from Louisville only reached us after a month's journey Heaven only knows in what direction. It found me sick in bed where I was held a sufferer for three weeks. Our stay of a week was prolonged to two months, during which time I was a martyr to the place and surroundings.

[1] Wife of Hon. C. Clay of Alabama.

Mr. Clay saw a brief notice of your "indisposition" (which I trust was not long or painful) and more recently have we learned thro' the papers of your intended European trip. How I envy you! How I long to accompany you! Surely some are born under a propitious star! This is twice or thrice Mrs. Davis has gone abroad, I poor me, never! But I am not selfish enough to detain you, could I do so, for *this* is no country to live in now. I wish I was a fruit seller in Rome or Paris, so I might see and revel in—novelty at least.

I am sorry to say that your name sake (?), Nick Davis, of Radical fame has more deeply disgraced himself by a fearful speech on Equal Rights. But, he and his "Black Horse Cavalry," or "Guard," (most amusingly denominated by a German Sailor, not very conversant of the English, or its construction, "his Horse Black Guard"), were routed foot and dragoon, and the "*dead* Democracy" is alive again in old Madison. But Life is really so weary and dreary now to us, that with cotton at 10 cts. may I not ask if smiles should not be prized?

Do, my dear Mr. Davis send me a line of greeting from abroad, if too late this reaches you, to send your farewell. Mrs. Davis never replied to my note by express enclosing my bit of Velvet for that immortal patch-work of hers, nor do I know that it ever reached her. Ask her to send me an occasional letter for charity if not Love,—and do thou likewise.

We rejoiced that you and yours were safe away from that awful scourge! The Arringtons and Goodmans *all* remained thro' it, *and are safe*. Dr. A. has gone to house keeping. Speaking of kindred I beg to tell you that Mary Collier McGuire, our mutual friend and my precious cousin, Jennie Hilliard Glentworth are in Rome and Venice for the winter. Will you go to Italy? How glad they will be to see you. Well! of my darling. He *did* in fact, in July last, have his horse to throw him and break his poor arm, (left one) above the elbow, and so injured the forearm that he will never use it as formerly. My whole summer has been devoted to this arm, the hand of which is as soft and tender as your little Winny's. Poor fellow! I sometimes think he is, as some writer expressed it, one of the "misfortunates."

We have divided the Clay Place and Bro. L. drew the *Home* Tract. *We*, however still occupy it, and may for years, who knows how long or how short? God grant, long enough to welcome you back in renewed health and happiness. Kiss Maggie and W. for me, and with love for Mrs. Davis and your-

self and a God bless and keep you! deep and fond from my heart, believe me dear Mr. D. till death,

Your sincerely devoted friend,

(Signed) V. C. Clay.

Mr. Clay went to the Lodge yesterday, but asked me to say farewell for him, and so accept it.

And now one word of business matters which I would fain spare you, but for a promise exacted. *Mr. Sprague* of this place formerly, and who died last June, held a policy on his life for $10,000 in the *Carolina*. His widow (with four little children) begs me to ask *you* if she cannot get the money, he, Mr. S., having paid the last premium in *May* prior to his death? She says, "ask Mr. D. if the Co. was not responsible for and *able* to pay at the time of its sale or consolidation? If *he* says so; *then* I surely can get my money." What I *know*, Mr. D. is the fact, that the poor fellow denied himself many necessaries to pay his premiums, and that if you *can* assist his widow you *will*. Send me a line, on a separate sheet, that I may read or give her, and which of course she will wish to show to the Company. A "hint to the wise etc." I grieve to thus trouble you but you recall what the Yankee woman wrote my husband "*distinction* must pay its penalties."

When in London present me with warmest love to the Walkers and send me a line from their quiet and inviting library to say I am not forgot. For across the ocean you carry the hearts of your *Clays*, who can never cease to follow you thro' life.

Adieu! and that He who holds the waters in His hand keep you, is our fervent prayer.

John L. D. Hillyer[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Forsyth Ga. Dec. 19th 1873.

My dear Sir:

I have seen a statement that was going the rounds of the press some time since to the effect that you were preparing a history of the "War." It has recently occurred to me that, you would have it in your power to say a word, in vindication of the character of Capt. Henrie Wirz, the Com. of the "Interior of the Military Prison at Andersonville."

[1] Confederate soldier and a Baptist divine of Forsyth, Ga.

I was there, an officer of the line, during a part of June, the whole of July, August and Sept. and part of October, 1864. I knew Wirz, and I know his innocence. I have written out my views of the question, and my memory of some of the facts. If you desire it, I will send you my manuscript, and I will answer any questions.

With the simple desire to aid in a good work, I trouble you with this communication.

With lasting affection for the noble chief of a "lost" but loved cause, I am, Sir,

Your obedient servant,

JOHN L. D. HILLYER.

To
Hon. Jefferson Davis,
Memphis, Tenn.

endorsed: Capt. Hillyer; about Wirz; ansd. 29th Dec. 1873.

E. Barksdale to Jefferson Davis.

(From Confederate Memorial Hall.)

Jackson, Miss. Jany. 7th, 1874.

Hon. Jefferson Davis,
My dear Friend,

I have sent to your address as requested the document relating to Gen. Johnston's military career. When I left Richmond in March 1865, two copies were placed in my hands by your Secretary Mr. Harrison. I have kept them both; and now send you one of the originals. In 1865, after the surrender I permitted a friend to take the paper for his own perusal, in confidence, but finding that it was being exhibited to others and was likely to produce unpleasant controversy when no good could result, and desiring to postpone its use for a more fitting time, I withdrew it; and have heretofore declined many overtures for its delivery to other parties. Your request leaves no alternative. *In complying, I beg you not to permit a copy to be taken or this one to go out of your own hands.* Otherwise it will be hurried into print prematurely and under circumstances not favorable to its publication or proper reception by the public. I had learned that an abstract from memory had been furnished to Gen. Johnston and that he has made it the basis of a formal reply and criticism in his forthcoming book; and have designed

to notify you of the fact when I could ascertain your address. Again repeating my suggestion above mentioned I have sent the document as desired.

My family (wife and daughter) are spending the winter in Florida and were well when last heard from. With kind remembrances to you and yours, I remain

Truly your friend,

E. BARKSDALE.

W. B. Compton to Jefferson Davis.

(From Confederate Museum.)

Harrisonburg, Va.
Jan. 17, 1874.

Hon. Jefferson Davis,
Memphis, Tenn.

Dear Sir:

In the spring of 1863, I was captured, tried and condemned to death at Fort McHenry and sentenced to be executed on the 11th May 1863. After being confined there for sometime I succeeded in escaping in company with several others, among them Col. Lamar, of Louisiana and got safely back to the Valley of Va., where I rejoined my command and remained with it until the close of the war. I never was in Richmond from the time I escaped until after the war and have never yet been able to learn what steps were taken by our Government to prevent my execution. I only know from Northern sources that ex-Gov. Pierpont (then Governor) and Judge Pitts of Accomac and some other personal anti-war friends of mine went to see Pres. Lincoln in my behalf but have always believed and trusted that the failure to execute the sentence was from fear of retaliation or from the action of our own Government and not from the intercession of personal friends.

As it has become a matter of some interest to me to know the facts, and as you are perhaps the only living person who knows them, I take the liberty of asking under your own hand a statement of your recollection of my case in order that the truth of the matter may be vindicated.

With the highest regard, I have the honor to be,

Your most obedient servant,

(Signed) WM. B. COMPTON.

A. Dudley Mann to Jefferson Davis.

(From Confederate Memorial Hall.)

51 Rue de Luxembourg.
Paris, March 17, 1874.

My Darling Friend,—

I am overjoyed with the receipt of yours of yesterday. I pray that your health may interpose no obstacle to your coming on Saturday. If this shall happily be the case I will not let you leave until you are entirely restored, if, indeed, then. The climate here, in contrast with that of London, will, I am sure, have a salutary influence upon your system.

I rejoice that you are to be accompanied by that estimable gentleman, and noble Southern patriot, Governor Lubbock. Pray present to him, in advance of our meeting, my most cordial salutations.

By what train and by what line are you likely to arrive? If you are at a loss to determine until your starting hour, so that I cannot meet you at the station, drive straight to my door, bringing the Governor along. While it may not be possible for me to offer him a comfortable room, one can be found near me, and he can be at home, except when *in bed* in my modest little parlor.

I trust that you have always satisfactory intelligence from Mrs. Davis and your children. In the joyous expectation that I am to greet your arrival ere the week closes, I am, as ever,

Affectionately Yours,

A. Dudley Mann.

Jefferson Davis to Dr. McKay.

(From New York Historical Society.)

47. Princes Square
Bayswater. W.
24th April 74

My dear friend,

I returned from Paris, much improved in health but have for two days past been ill. Our friend Mr. Smith of Glasgow called to day and told me he was going to your neighborhood and hoped

to see you to-morrow I wish it had been my fortune to have the same pleasure.

B. H. Hill who was in the Confederate Senate has lately made a speech which contains many facts which I think will interest you, and which it might be useful for the British public to learn. If you think thus after reading it, will you have it republished? I send you the paper containing the speech.

With kindest remembrance to Mrs & Miss McKay, I am truly

Your friend

JEFFERSON DAVIS

Jefferson Davis to Philip Phillips.[1]

(From Confederate Memorial Hall.)

98 Court Street, Memphis, Tennessee.
13 July 1874.

Philip Phillips, Esqr.

My Dear Sir,

I have been informed that a box containing my private papers, correspondence &c was sent to the War Department and is still there. Among those papers there were some letters which are important to me in connection with a question of property in which the Government has no interest and there are others valuable only to myself such as family letters running back to the time when I was a schoolboy; some commissions and diplomas were also a part of the capture. I would be much obliged to you if you would try to get them at least so much of them as the officers of the Government shall not consider of any possible use to them, and have them sent to me by express to this place.

There was also a trunk in the charge of Mrs. Yulee in Florida which I have been informed was seized by Genl. Vogdes. It contains with some of my clothes a few arms of antiquated models only valuable as curiosities to others, and to me for the associations connected with them. I should be glad to have that also.

I have recently returned from Europe whither I had gone under the advice of my Physicians to take a sea voyage. Mrs. Davis and my two daughters are here. My only surviving son is at school in Virginia. Mrs. Davis joins me in affectionate remembrances to Mrs. Phillips, yourself and children and we

[1] Lawyer of Washington, D. C.

shall be glad at your convenience to have news of each and all of you.

With best wishes I am, as ever,

Your friend,
JEFFERSON DAVIS.

P.S.

If among my letters and papers as is probable there are some addressed to my wife and some to my deceased brother Joseph E. Davis please have those sent to me as if bearing my own address. (signed) J. D.

Geo. W. Jones to Jefferson Davis.

(From Confederate Museum.)

St. Louis, Missouri.
July 20th, 1874.

My very dear friend:

My dear wife has just forwarded to me yours of the 12th inst. from Memphis with its inclosures that I may answer you from this City which I do without delay so that you may not have misgivings as to the cause of my delay in attending to your requests. I shall hasten my return home so that I may go thence to Waterloo to comply with your request as I would with delight were the mission of infinitely greater importance because I love you still as I do my only brother, Gen. Augt. Jones, who is now a guest at my house in Dubuque, whither I took him from Chicago on the 30th Ultimo.

I shall go in person to Waterloo as I am not personally acquainted with the thief or receiver of the precious stolen articles. And I will use all tact and caution in the matter lest he destroy the Album to keep it from falling into your hands.

I would have written to you a longer letter than either of the two I gave to two of my excellent friends, Hon. J. K. Graves and his accomplished, beautiful and excellent wife to introduce them to you, but that I did not know your address, I presume they did not get to see you as a letter just received from Prest. Graves, from Brussels in the same mail which brought me yours, does not refer to you as I am sure they would had they met with you as they are my warm personal friends and desired to see you.

My wife and I would have introduced you to our relatives at Lile, France, L'Abbe Gregoise, Josephine's cousin and his extensive family circle as they too would have received you with

open arms, I am very sure, and as I think my nephew, by marriage to my sister's daughter, J. Russell Jones, the present minister Resident at Brussels also would have done. I wish you had dropped me a note from Memphis or New York to advise me of your proposed trip to Europe.

I will try to go to Memphis in the next fall or winter and thence over into Arkansas to please my son George and my nephew, Hon. John Rice Homer Scott, now a member of the Convention to remodel the Constitution of Arkansas and who was an officer under you in the late civil war, one of the bravest of the brave.

With unbounded affection for you and your family, I remain,

Yours devotedly always,

(Signed) Geo. W. Jones.

Hon. Jefferson Davis,
Memphis, Tenn.

George Davis to Jefferson Davis.

(From Confederate Memorial Hall.)

Wilmington. 25 July, 1874.

Hon. Jefferson Davis,
Memphis, Tenn.

My dear Friend:

I have duly received your letter, and immediately forwarded the inclosure to the address of Mr. Venable.

It is a great gratification to me to hear from you, and to know that you have for me the same affectionate remembrance which I cherish unfailingly for you and yours. If my good wishes could provide for you and them, there would be no need of any care for the future. May God bless and keep you and them, always and everywhere! For the first time since the war I am taking a very active part in politics. The term of one half of our judges expires this summer, and the hope of ridding ourselves of so much of a shameful judiciary had spurred me to this work. I am happy to say that our prospect of success is most encouraging.

If Mrs. Davis is with you pray assure her of my cordial affection and believe me always,

Most lovingly your friend,

(Signed) George Davis.

Geo. W. Jones to Thomas Place.

(From Confederate Museum.)

Private

Dubuque, Iowa. July 28th 1874.

Dear Cousin,

I learn that a Mr. D. E. Moore of your City has in his possession an Album which belongs to the family of my old and valued friend, Jefferson Davis, late President of the Confederate States and now of Memphis Tenn^{ee} and that he has offered the album for sale.

I am not acquainted with Mr. Moore but do not doubt that you are or can easily become so and, therefore, do I write to you to ask your kind offices to procure the album that I may send it to Mr. Davis as it contains the likenesses of his children, other members of his family and friends and is therefore valuable to him (Mr. Davis) and his family, to whom it surely belongs.

Do not mention my name but do try to secure the album without cost.

Your Cousin and friend,
(Signed) Geo. W. Jones.

Thos. Place, Esqr.
Waterloo, Iowa.

Hunter Davidson[1] *to Jefferson Davis.*

(From Confederate Museum.)

10 Pall Mall, East. London.
2nd August, 1874.

My dear Mr. Davis:

I have lately published a pamphlet, a copy of which I enclose you. One person only has accused me of doing injustice to the

[1] New York Hotel, New York.
May, 1874.

I have but recently returned from South America, and had an opportunity of reading two works on Torpedoes, or Submarine Mines; one by Major R. H. Stotherd, R.E., and the other by Commander Fisher, R.N.

It is now nine years since the close of our civil war, and considering how rapidly things change in this fast age, and that we too must soon pass away, it is about time at least to commence to vindicate the truth of history; for much of the history of that conflict exists only in the memory of the actors therein, and if they die without recording their experiences the truth is lost.

At this day I think that my letter may be fairly read and considered, and that the impartial historian will give to my statements their due weight, the object being to establish my claim to having made the first

late Capt. M. F. Maury, who he says was the first to employ Torpedoes successfully in War, and that I am trying to "steal his thunder."

successful application of Electrical Torpedoes or Submarine Mines as a system of defence in time of war, which system is now generally adopted in some modified form by all nations for the defence of harbors, rivers, etc., and their approaches, as well for the approaches by land to any fortified position.

I do not know that I should ever have taken this step, but that the authors of the books to which I allude, as well as Col. Chesney, R.E., in his "Essays in Military Biography," page 345, seem to turn their backs, with such a studied air, upon the practical source of Electrical Torpedo defences: Defences which they do not conceal are becoming the chief reliance of all nations for the purposes above named.

The works of Major Stotherd, R.E., particularly the last edition, are valuable alike to the general reader, the officer of whatever service of his country, and to the young torpedoist; whilst those of Commander Fisher are rather elementary and wanting in practical information to be sure; but both of those authors would doubtless have it inferred that to England belongs the merit, whatever it amounts to, of having devised *without material assistance*, an efficient method of Torpedo defence. The fact is, however, that there is not a matter of any practical importance treated of by Major Stotherd in his late work on this subject, that was not understood and practised where necessary in my Torpedo department during the late war, except as to the new explosives; and I assert that he could easily have ascertained these facts by making the ordinary inquiries that every author should make in order to place before his readers a correct and impartial work; also that the facts already at his hand should have induced him to do so, for he quotes from the pamphlet on Torpedo Warfare, by Captain E. Harding Steward, R.E., whose constant mention of my name in connection with the first and only success of Electrical Torpedoes in war, showed Major Stotherd very clearly where the system originated.

And now for the evidence. First, let me say, that I purposely avoided entering into detail, until forced to do so, as to what was done by the use of E. Torpedoes during our civil war, not wishing to recall unpleasant scenes, but that I write in gratification of a natural and proper ambition, recording the truth.

The first idea of using Torpedoes on the Confederate side originated I believe with the Hon. S. R. Mallory, Secretary of the Navy, and he directed the distinguished Captain M. F. Maury, LL.D., to make experiments with a view to their general employment if practicable.

I was selected as his immediate assistant.

His work commenced in the spring of 1862, and continued for a few months only with Electrical Torpedoes.

He had arrived at no definite conclusion from his experiments, in any particular when he left the Confederacy for Europe, and I was ordered to take charge, subject to orders from the Navy Department only, and remained so until near the closing scenes of the war, when I was relieved in command by Captain J. Pembroke Jones.

The means used in my Electrical Torpedo defences differed in every essential particular from those used by Captain Maury in his experiments. The peculiar construction of the mines, the methods of fixing them in position and connecting them with the cables and batteries; the determination of the quantities of powder to use at different depths and the effective areas, the batteries used for firing, and also for testing the mines, as well as the organization and equipment of the stations from which the mines were controlled, all formed a complete system devised by myself.

This is a very grave and painful accusation to me, and it is necessary that it shall be proved or disproved.

No one is more competent to judge in this matter than your-

The results of this system were that the *first* vessels ever *injured or destroyed* in war, by Electrical Torpedoes, were by the Torpedo department operating under my immediate command, and I may add the *only* ones, that I am aware of.

Those who are not well acquainted with the history of our civil war will find ample proof of my statements on file in the Navy Department at Washington, as also by reference to Admirals Porter and S. P. Lee, and Commander W. B. Cushing, U.S.N., for the fact that an efficient system of Torpedo defences did exist on the James River during the war, and to the Hon. S. R. Mallory; Capt. J. M. Brooke, inventor of the Merrimac, the Brooke Gun, and the deep sea sounding apparatus; and also to Capt. Wm. H. Parker, formerly Superintendent of the Confederate Naval School, that I organized and commanded these defences, and was the first to make them successful.

There are volumes of evidence to this effect that can be produced when necessary.

I hold letters from the three last named gentlemen, and from the late Gen. R. E. Lee in reference to the efficiency of my Torpedo department—also a letter from the Hon. S. R. Mallory in which he says "I regarded your service as equivalent to that of a well appointed Fleet or Army," and this had reference only to the defences of Richmond.

In fact when the system was nearly completed and inspected in person by Pres. Davis, Gen. Lee, and Sect'y Mallory, it was immediately decided to withdraw large numbers of troops from that quarter for offensive operations elsewhere, it being well understood that the Union Armies could not advance without the assistance of the Federal Squadron, which advance was for a long time effectually prevented by my system of Submarine defences.

Many vessels were disabled or destroyed by mechanical or contact Torpedoes but such effect is known to be the result of mere chance, often as fatal to friend as foe, and produces no such demoralizing effect as the certain destruction which awaits any vessel attempting to pass Electrical Torpedoes.

In regard to the efficiency of the Torpedo defences employed by me during the war, as compared with those of the present day, I have to say that I have been almost constantly on Torpedo duty ashore and afloat since our war, making the subject a study in several foreign countries and our own, and have not yet seen any material improvement or development of the original system, and if we were at war with any great naval power tomorrow, I should prefer to rely upon it when the hour of trial came.

There are several beautiful and ingenious methods devised by those who have had no practice in war, but my experience will not permit me to give them approval.

Now if we are to consider *practical* success as the test of an *invention,* have I not a right to this? Am I not as much entitled to it as Morse to the Telegraph? Howe to the Sewing Machine? Colt to the Revolver? And as many other men to their inventions whose success did not carry with it the original conception of the necessity for the invention, nor the first attempts to carry out the idea, nor in whose inventions as patented is there one original *scientific* principle? It is the effect produced by art in combination, and this is the basis of ninety-nine out of a hundred patents.

And the first successful attempt to achieve an important physical object by original principles or art in combining those which are known, is the only test by which we can be governed in awarding a patent entitling one

self. You are the best authority, especially as your secretary of the Navy is no more, and I ask at your hands justice to me and to Capt. Maury also.

to an invention. If not where shall we draw the line of distinction? How shall we proceed with a patent office?

In the year 1860, Congress adopted by an almost unanimous vote my invention for "lowering, detaching, and securing boats at sea," and directed the Secretary of the Navy to purchase the patent right for the use of the Navy, which was done. The marine world had probably seen the necessity for such an invention since the days of Noah, and there is not one original mechanical principle in it. It is simply a combination. The invention was several years before the Country, in Scientific Journals; was carefully examined and tested at sea in several ships by some of the best officers in the Navy and discussed during two sessions in Congress, yet I have never known any one to dispute my claim thereto.

The efficiency of Electrical Torpedo defences is so universally recognized at this day and they appear so simple to the initiated, that many of the "I know it" kind may exclaim, "Why I don't see any *invention* in the matter, for it has been long known that if a chance was got at a ship with so much powder under her, she was bound to go up."

But then if so simple why did not Fulton or Bushnell in the early history of our Country, or the Russians during the Crimean war stamp the fact upon the times, so as to render it, as it is now a system of defence that no nation dares neglect.

And how did it become so?

I trust to history for the answer.

If any one had had to contend with the abuse and sneers, and ridicule whilst in the performance of Torpedo duty day and night that fell upon me during the war, he would realize that as late as the summer of 1863, some of the ablest men of the day, did not regard Torpedo warfare as worthy of consideration, and the very attempts of Fulton and of Bushnell, and of the Russians were used by those men in argument that my attempt would also be fruitless.

Much of the light has to struggle through mediums of darkness and resistance, and gradually breaks in upon us. Our theories rarely assume a practical form, but as in many other circumstances so in Naval and Military matters we are controlled by theory (nearly every association having one of its own) until the *test*, the practice comes, and then in war see how the mist vanishes and light appears! Some have made the lucky casts and win.

Can any one think of a war that did not cause him to wonder at his own want of forethought? How weapons and methods are changed! How rank is capsized! How he came out of the struggle other rounds higher on the ladders of science and of art.

And every discovery of a new or improved weapon proves to be a step towards greater civilization and peace.

Apropos of the foregoing, I remember that a distinguished Admiral sent word to me when under a Flag of truce during the war, that if I came down to his squadron again in a certain boat, (in which I had made the first successful attack with the "Lee-Spar-Torpedo") he would not respect the Flag, as he did not acknowledge that I was engaged in civilized or legitimate warfare. This glanced from my armor as many a worse shot did from my *own side*, though for other reasons, for I felt that as he was the only sufferer then, he saw the matter from but one point of view, but that time would set it even as I replied in substance to the *officer*, ... "*respice finem*" . . . . The end indeed was not far off, for the official reports of the day were that the Admiral took up my Torpedo Mines as

Will you please write me at your earliest convenience and say do you believe I have done Capt. Maury injustice in this paper or not? Capt. Maury was my warm friend and I have written from my heart and my conscience, the simple truth and nothing more or less.

Please remember me kindly to Mrs. Davis, and the children, and believe me, my dear Sir.

Very truly and respectfully your friend & servt.,

(Signed) HUNTER DAVIDSON.

the Territory was conquered, and turned them against us; and certain it is that his squadron was soon after armed with the "Lee-Spar-Torpedo."

To those who know me, I trust that this letter is unnecessary, but then there is the world besides, and who knows how many in it to set up a claim without having a knowledge of the facts. And those too who having that dangerous "little knowledge" may constantly employ it, as they have already done, until public opinion accepts it as its guide.

I cannot conclude without a few words more in reference to my ever kind and lamented friend Capt. Maury. He went from the South to England, where he continued to make experiments in Electricity applicable to Torpedo warfare, and discovered a most ingenious method of arranging and testing the Torpedo Mines which I believe is his patent, and was shown me by him in the winter of 1864 and '65.

The fact that there was no *practical* result from his experiments the few months he carried them on in the South, is due simply to the want of time to organize his forces and collect material, though his experiments served to mark some of the shoals on the way, if not the channel to success. But even had he remained to develop the system, and given it the greater impress of his genius no success in consequence, could have added much to the world wide fame he had already acquired.

To the Hon. S. R. Mallory, who always believed in the success of the undertaking from the first, and ever gave me a firm and kind support, and materially aided me with his advice; to Captain John M. Brooke, then Chief of the Naval Bureau of ordinance, and to my Electrician R. O. Crowley, I am in a great measure indebted for the success which I here claim entitles me to be known as having made the first successful application of Electrical Torpedoes or Submarine Mines in time of War, and as a system of defence.

(Typist's note: There are two marginal notes on this pamphlet, written by Miss Isabel Maury [in pencil]. See following page.)

Commenting on the phrase "when he left the Confederacy for Europe," Miss Maury writes: "He (Maury) was sent to Europe in behalf of the Confederate Government."

Following the statement, that the Secretary of the Navy "directed the distinguished Captain M. F. Maury, LL.D., to make experiments with a view to their general employment if practicable," Miss Maury writes: "I recollect the day after the battle of Manassas Com. M. F. Maury had old fashioned wash tubs taken into his bed room and filled with water. Naval officers there came—*Mr. Davidson may have been of the number.* The house is on Clay street between 11th and 12th, the residence of my father, R. H. Maury. I asked Com. Maury the meaning, he told me he was trying experiments with very small quantities of powder to lay Torpedoes in our waters. The experiment was so pleasing that a few days after they went to James River to try on a larger scale—that was successful, or rather, gratifying, promising success."

These comments are signed, ISABEL MAURY,
Jan. 17th, 1902.

Geo. W. Jones to Jefferson Davis.

(From Confederate Museum.)

Charles City, Floyd Co., Iowa.
Augt. 3rd, 1874.

My dear friend—

I came from Dubuque yesterday to Waterloo where I spent the night and to-day until after dinner with the earnest hope of being fortunate enough to find D. E. Moore and to obtain from him the Album referred to in your kind and cherished letter to me of the 12th Ult° from Memphis.

On my arrival at home from St. Louis, where I had business of great importance to me and where I remained ten days, as the guest, first, at the Southern Hotel and the balance of the time with my old and valued friends Hon. L. V. Bogy of the U. S. Senate and of Henry G. Soulard whom you will, I am sure, remember as of Galena from 1827 till '33, who has not forgotten you and holds you still in the warmest friendship— I hastened my trip home and thence to Waterloo with an anxious hope of securing the Album but I have failed to find any D. E. Moore tho' I did find one man and but one *in* Waterloo, of the name of Moore, his name is C. E. Moore— He is a young and very harmless looking and speaking man who drives a dray and is spoken very well of by all who know him— My Cousin Mr. Place found him for me. He says he never saw or heared of any such Album. That he never wrote any letter to or knew of any such man as Joseph Riley. He says he was in the army but that he never was in Virginia or east of Illinois, Kentucky and Tennessee.

I employed a lawyer to get out a writ of replevin intending if Moore had the Album to try to buy it, if he would not give it up and if I got my eyes upon it to take it and let him reply or bring other action for it.[1]

Moore told my Cousin first and me afterwards what I have

[1] Dubuque, Iowa,
8 Aug., 1874.

My dear Sir:

Not doubting that you will sympathize with me in an effort to procure the album referred to in the enclosed letter, I forward it to you and ask your kind offices in obtaining the album.

It was taken or stolen I should say from the baggage of Mrs. Davis when she and her husband were prisoners at Fortress Monroe.

You can probably find out through some Republican friend whether the album is there or not and whether it is for sale. If you find it advise me thereof and I will go out as a witness to identify it as I have no doubt

stated and that there are two or three other men in the County named Moore, near Waterloo, whom Mr. Place will get to see and to find out about the Album if possible. You had better send me the original letter from Moore and Riley that we may have the hand writing, envelopes &c. examined. Mr. Riley may have wished to get the $45. from you under false pretences.

I will return to Waterloo in 3 or 4 days by which time my Cousin Thos. Place may have made some discoveries.

I will try to get my wife and daughter to go with me to Memphis in Oct. to see our dear children there, you and other friends to whom we are so devotedly attached. I am in excellent health and hope you and yours also are as well as Geo. and his wife and friends.

Yours ever,
(Signed) Geo. W. Jones.

Hon. Jefferson Davis,
Memphis, Tenn.

A. W. Venable[1] *to Jefferson Davis.*

(From Confederate Museum.)

Oxford, N. C.
Aug. 8th, 1874.

Hon. Jefferson Davis
Memphis, Tenn.
My Dear Sir

Your letter of the 18th of July reached my post office during my absence from home.

I now inclose you a memorandum of the facts of which I was cognisant in connection with the affair which occurred at Mrs. Owners in Washington City, on Xmas 1847 between yourself and your colleague Henry S. Foote.

I kept no diary but have a distinct recollection of all the occurrences which fell under my observation, and it has never

seen it and the likenesses of the family. I went out to Waterloo on this subject last Monday, but failed to find Mr. Moore there. Be cautious how you act in the matter and oblige, Your friend,
(Signed) Geo. W. Jones.

Wm. James Jamison,
Atty. & Counselor at Law,
Independence, Iowa.

[1] (1799-1876) Lawyer, Congressman from North Carolina, Thirtieth, Thirty-first and Thirty-second Congresses; member Provisional Confederate Congress from N. C.

occurred to me that any person could concieve that the honor of yourself or Mr. Foote was compromised by the interference of such gentlemen as those present on that occasion.

I forbore to ask for any details, Mr. Cobb assuring me that all difficulties had been honorably adjusted.

Cobb, Harris, Rockwell and Miller have all passed away—in feeble health I survive, and if I may be able to render any service to a friend that I value and esteem so highly as yourself, by a true detail of facts, it is done with much pleasure.

I cannot however concieve that your good name or your historic position can be impaired or injured by such assaults as that to which we have referred. I read the card which you inclosed me and be assured my dear sir from the stand point at which I look at it, the assault appears to me, the impotent effort of a malignant and disappointed man.

You are a member of the church of Christ—a portion of your masters honor is committed to your care, and it is well that both of us should consider that we must shortly give an account of how we have discharged our trust—

Very small indeed is the value of mere human judgment when contrasted with the approbation of our Maker. It is well enough however for us to provide against the assaults of malice which aims to carry its schemes beyond the grave:—that our good name may not suffer, and slanderous reproach rest upon our posterity.

It will always give me pleasure to hear from you, I have always kept a constant observation as to your movements and nothing has been more gratifying to me than the affectionate interest which the true men of the south still feel in your welfare.

The political developements of the present strengthen my convictions that we demanded nothing but our rights, and were right in demanding them.

You ask after my health? In visiting the Armies in 1862 I contracted the malignant Erysipalis and came near dying. Since then my health has been very feeble and I have for years retired from all active business and now in my seventy fifth year am quietly waiting the summons to another world. I trust I shall rejoice in the summons when it comes— The Redeemer of mankind has promised to walk with his disciples through that dark valley, and it is better to walk in darkness with him for our guide, than in the light without him—

Mrs. Venable is still spared me, and is the same bright light on my path she has always been. Present me most kindly to

Mrs. Davis and your children, and say to her that I often think of our former associations and hope that many happy years may be added to her life— I am so feeble that I had to get my son Col. Tho. B. Venable to write this letter at my dictation, but I sign it myself. Please write me whether you get this.

With many wishes for your health and happiness—I am my dear Sir as ever,[1]

Very truly and faithfully your friend,

(Signed) A. W. VENABLE.

Geo. W. Jones to Jefferson Davis.

(From Confederate Museum.)

Dubuque, Iowa.
Sunday, Augt. 9th, 1874.

My dear Friend:

I wrote you from Charles City on the 3d feeling that there was little if any prospect of finding the *right* Moore or the Album but a note from my warm friend, Cousin Thomas Place, of Waterloo, informed me that Moore had removed from Waterloo to Independance, 69 miles from this place. So I wrote (a

[1] Memorandum in relation to a personal difficulty between Hons Jefferson Davis and Henry S. Foote:

On Xday 1847 immediately after breakfast at the boarding house of Mrs. Owner in Washington City several of the Mess composed of Members of both Houses of Congress retired to the sitting room; to wit, Hons Howell Cobb, John K. Miller of Ohio, Sampson W. Harris of Alabama, Mr. Rockwell of Indiana, Jefferson Davis and Henry S. Foote—

These were the persons I found in the room when I went in. I at once perceived that there was some restraint upon the company, and was informed that a personal difficulty had occurred between Mr. Davis and Mr. Foote—that blows had passed and that the parties had been separated by the interference of the gentlemen then present—It was agreed that further proceedings should be stopped and the relations of the parties be restored as theretofore if the whole matter would be regarded as secret and never be divulged by anyone—Mr. Foote declaring that he bore no malice.

I understood that the adjustment placed both parties upon high and honorable grounds and so sacred did I esteem the promise that it should never be divulged, that from that day to this I have never mentioned it to any one—I did not witness any part of the collision but derived my information from statements made in the presence of both parties by the gentlemen who were present.

I furnish the above memorandum at the request of Hon. Jefferson Davis—and being too feeble to write it is drawn by an amanuensis but signed by me—

(Signed) A. W. VENABLE.

Oxford N. Carolina.
8th August 1874.

copy of which I enclose you) by my amanuensis, Charles, I being in bed, at the time, suffering with a severe carbuncle on the back of my neck. Place wrote on the back of my original note to him, both of which I sent to Jamison.

With brotherly affection which will last whilst we live,

(Signed) Geo. W. Jones.

Hon. Jefferson Davis,
Memphis, Tenn.

P.S. My old brother Genl. Augt. Jones is sitting by my side as I write this and with my wife and children sends love to you and yours, George and his family and friends.

Jefferson Davis to J. A. Seddon.

(From Confederate Memorial Hall.)

Memphis, Tenn. 18 Aug. 1874.

Hon. J. A. Seddon,
Dear Sir,

I inclose a slip sent to me, the perusal of which will I hope justify me in your judgement for asking you how far the statement in regard to your interview with Genl. Lee is correct; and further for renewing my request for a statement of the facts as known to you in regard to the removal of Genl. J. E. Johnston from command, when at Atlanta.

Those who in defence of our administration expose themselves to assault, as in this case, may at least claim from both of us such aid as our knowledge of facts may afford.

Lest you should not have the address of Mr. Hill for reference, I will state that he did not say as Genl. Johnston puts it that I "expressed a high opinion of him as a General;" but said as follows, "I never heard a eulogy pronounced upon Genl. Johnston by his best friends, as a fighter if he would fight, equal to that which I heard from Mr. Davis during these discussions." You know my distrust of Genl. Johnston's conduct as an independent commander, was not of recent date; and will remember why I so persisted in objecting to his removal from a command, to which I had reluctantly agreed he should be assigned; as well as his telegram to you which overcame my objections.

Trusting that you will find in the present circumstances sufficient reason for this intrusion, and that I shall be soon favored with a reply, I am

Respectfully and truly
Yours Jefferson Davis.

Francis H. Smith[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Va. Military Institute,
Aug. 26, 1874.

Hon. Jefferson Davis,
Memphis, Tenn.
My dear Sir,

Our mutual friend, Col. W. P. Johnston has handed me today your valued favor of the 22d inst. with a draft on Messrs. Payne, Kennedy & Co., New Orleans, dated 1 July 74 at 90 days for $230.85, and also a draft on the same firm for the same time dated Aug. 22, 1874 for $250.00, the former to meet the arrears of your son Cadet J. Davis for excess of his charges above estimates for the last year, and the other on account of the next year, for which I have given receipts to Col. Johnston. We can readily make these drafts available.

The excess in the expenses for your son above estimates can be controlled, and I deem it important to his well being that this should be done. The estimates are liberal, with a constant tendency with the young to extravagance—but principle as well as necessity should regulate this, and now is the time to impress upon our young men self denial, as this will be better for all. If you will therefore instruct him that he must now keep himself rigidly to the estimates, it will be better for him, and $500 should keep him decently and comfortably till July 1875.

I shall now hope that the experience of the past year will be a useful lesson to him for the coming year, in impressing upon him greater diligence in study, and more attention to those rules which involve him in denial. I have always found him kind and respectful, and readily yielding to counsel, but he lacks the will to carry into effect good resolutions, or the power to do so. I have never known him to do anything to involve his character

[1] Francis H. Smith was born in Norfolk, Va., Oct. 18, 1812; graduated at the U. S. Military Academy July 1st, 1833 and was commissioned second lieutenant in the Artillery; was assistant professor in geography, history and ethics at the Academy until May 1, 1836, when he resigned his commission. He was superintendent and professor of Mathamatics at Va. Military Institute 1839-1889; President of Board of Visitors of U. S. Militry Academy in 1836. In 1861 he was made Col. of a regiment of Va. Volunteers and aided in the defense of Richmond in 1864.

In 1865 he rebuilt the Virginia Military Institute and continued its Superintendent until January 1st, 1890.

He died in Lexington, Va., March 21, 1890.

See Tyler's Cyclopedia of Biography, Vol. III, pg. 203.

as a gentleman, and I am encouraged to believe that he will now respond to the efforts now made in his behalf.

I remain, very respectfully,

FRANCIS H. SMITH.

endorsed:
Genl. F. H. Smith; historical.

Mrs. V. C. Clay to Jefferson Davis.
(From Confederate Museum.)

Huntsville, Alabama.
Sept 2nd, 1874.

My dear Mr. Davis:

It brightened our eyes and stirred up our hearts to see your dear familiar writing once more on a letter! At all times welcome, your missive was doubly so, because the papers, which I am sometimes silly enough to credit asserted that "Hon. J. D. is at present with his son and daughter in Portland, Maine." Of course I thought you and Maggie and Jeff were having a good time up there, and poor Mrs. D. and little Winny sweltering in the *Torrid* Zone of Memphis. Was ever such a summer experienced before? We have survived it, by aid of much water, husband at the Lodge and I here, where I have been detained by company, (and entre nous, most of it self invited) for months!

I have not been ill in body, but sometimes sorely tempted to be in mind because of over taxation of spirit. It is sad to be surrounded by those who can *never* have any hold on your heart, but for whom etiquette demands *all* except heart-homage. I am a-weary, a-weary!

Gov Watts spoke here for three hours, Monday, and before closing, singular to relate, paid most glowing and beautiful tributes to *you* and myself! Each compliment was instantly responded to by burst of applause, which in my case was more grateful than even his eloquent and kind words, which despite my efforts to seem unconscious for whom they were meant covered my face with blushes and filled my eyes with tears. I will *tell* you all about all of it when we meet, which I trust will be ere very long.

I take the liberty, beloved friend, to enclose a letter which may tax your patience to read, and when read not repay the trouble. But, as *I* love to *re-read* words of kindness or devotion however stale to others, and as *it* vindicates me from the suspicion of neglect towards you, I send it. After months wanderings it returned to me, and would sooner have been forwarded you but for your absence, as supposed. Miss Blanche McGehee has been

here delighting all hearts, and was the cynosure of all eyes at a ball last night. In conclusion nothing would give husband and self more joy than to have you under our Lodge roof for a quiet rest, and as soon as it is possible to command my *only* spare room, in either home, you will be apprized, and we trust you will come at once.

With love for dear Mrs. Davis and the little "my father's grand mother," I am as ever,

Devotedly your friend,

(Signed) V. C. Clay.

Pardon this scratching pen and paper hard, as well as times.

Wade Hampton to Jefferson Davis.

(From Confederate Memorial Hall.)

Cashier Valley N. C. Sept. 5th 1874.

My Dear Sir,

We receive our mail from Walhalla S. C. but once a week and thus your letter of the 21st Aug. reached me only a few days ago. I have not seen the letter to which you refer but as I wrote to Genl. Johnston some months ago, in reply to a letter from him, my answer may have been published. The circumstances attending this correspondence were as follows:

Genl. Johnston wrote to me saying that Mr. Hill of Geo. in a public speech had stated, or intimated, that Gen. Lee had advised his removal from command and that upon the publication of this speech he, Genl. Johnston, had written to Col. Venable asking if he could give any information on this point. He went on to say that Col. Venable had replied that Gen. Lee had not spoken to his staff on this subject, but that he had done so to me. Upon this Gen. Johnston requested me to let him know what Gen. Lee had said. I felt that it was due to Gen. Johnston and to truth to give so much of Gen. Lee's conversation on that occasion as would do away with the charge that he had advised the removal of Gen. Johnston. I could do no less in justice to a brother officer and a friend. In the conversation with Gen. Lee, he referred only to his interview with the Sec. of War and whilst giving his estimate of Genl. Johnston as a soldier, expressed regret at his removal. If Gen. Johnston's letter to me has been published these details are unnecessary, but I give them so that you may comprehend fully my position. I regret deeply that you should have regarded my letter as a seeming "endorsement of complaints against you." Nothing could have been further from my intention, than to leave my letter open to any such

construction, for upon no occasion, nor in any manner have I made or endured complaints against yourself. You have had since, as during the war, my cordial support and my earnest hope that you would live to vindicate yourself fully from all charges made against you. I have written freely in order that there may be no misconstruction of my actions or of my opinions.

Hoping that none remained in your mind, I am, with best wishes, Very sincerely your friend,

WADE HAMPTON.

Hon. Jeffn. Davis.
endorsed: Gen. Wade Hampton

Geo. W. Jones to Jefferson Davis.
(From Confederate Memorial Hall.)

Dubuque, Iowa.
Sunday, 3 p.m. Sept. 6th 1874.

My dear friend—

Yours of the 19th ultimo was received on the 23rd and on the 27th I recd. one from Mr. Joseph Riley inclosing me the original letter of D. C. Moore, the *copy* of which you had sent me, dated "*Waterloo,* Iowa, April 24th 1874."

After making a trip to McGregor (opposite to Fort Crawford), for the purpose of interviewing Mr. Jamison of Independance, to whom I had written twice, on being informed that D. E. Moore was residing there and on hearing that Jamison was to be at McG. I returned home, Jamison not being at McG. and sent word to Jamison by a mutual friend whom I met there, to answer my two letters.

I received no answer from Jamison and determined to go to Waterloo which I did on the 2nd inst and went immediately to see my attorneys Messrs Boies and Couch, two decided republicans, tho' very excellent gentlemen, partners of Mr. Allen, a democratic friend, now and then and for some time in the East. Mr. Couch prepared the necessary papers in blank for service on D. E. Moore who, all the time was and is a citizen of Mooreville in Tama County—23 miles from Waterloo, where he never resided tho' he mailed his letters to Mr. Riley and recd. his replies, to avoid discovery, I have no doubt, as there is a P.O. within two hundred yards of his dwelling.

Mr. Couch and I started out at 9½ A.M. Friday morning in a two horse covered buggy, whilst the rain was falling fast and the clouds being thick and covering the whole firmament—a gloomy

prospect I assure you—but we had to go then or put it off, perhaps, for several days. We covered our knees and "plunged in" and drove 15 miles to Theodore Moore's, where we fed our horses, ourselves, Mr. M. being absent and got our dinners, on the return home, of M. He is no kinsman to D. E. but gave us directions how to find Mr. Life a Virginia J. P. 3½ miles off and 6 from Moore's Mill. Mr. C. drew the writ of attachment, special appt. for young L. as constable, exhibited the bond I gave in $100, for costs &c., my abolition cousin-in-law Thos. W. Place, Master Machinist of Ill. C. R. R. at Waterloo, being my surity, and put off for the Mill, the Constable, *pro tem,* driving his own uncovered buggy, until we got within ½ a mile of Moore's house where the Depy. Constable exchanged seats with Mr. Couch, my atty.—the latter remaining behind in the timber whist—young L. and I drove to and we went into the small frame, one story house, where we found old Moore the father, Col. M. his son—his wife and child.

On being informed which was D. E. Moore I said "Mr. M. I have with me here a letter from Mr. Joseph Riley of Erie, Pa. and one from you to him offering to sell him an album of the family of Jefferson Davis for $45. I am a friend of the family and have called to ask you to let me have it to send to Mr. and Mrs. Davis."

He replied "there is such an Album *in the Country.* Are you willing to pay me $45. for it if I get it, as I can, as it belongs to me." "I will if the album be the album of Jefferson Davis and family and it is in as good condition as it was when I last saw it and if the pictures of the family his wife, children and friends are still in it." He left the room beckoning to his wife who followed him into the bed room, for consultation, as supposed.

Whilst he was out I said to the old man how do you know it is the Album of the family of Jefferson Davis. "Oh! we were on ship board from Savanna to Fortress Monroe, with Jeff Davis and family, his Secy., aids, Alex. Stevens &c. I knew Mrs. Davis' family in New Jersey and we are positive &c. D. E. and wife entered the room again. She took a seat opposite to me and he stood and said, will you pay me for the Album if I get it and let you have it. "Yes, I replied, if it be the album I am after, and it and the pictures are all there and in good condition. If not in good condition and the pictures all in it I don't want it." He then pulled it from under his coat where he had it concealed and handed it to me. I opened it and said it is in *bad* condition and these are not the pictures." He replied the pictures in the front are our own, turn over and you will see

those of the Davis family. I did so and said yes, these are *some* but not *all* of the family and then I handed the Album to the Constable whom I had called to sit by and look at the pictures and said, "Now execute your writ." He immediately said "Mr. M. I attach this Album and here is my writ for so doing and my appt. as Constable," handing me both and asking me to read them to Mr. M. Moore looked furiously and addressing his wife said "I told you so and that we *ought not to have produced it.*" She looked daggers at me and said, "it is a mean and ungentlemanly act. Why did you not act like a gentleman and tell us you had a writ." I replied because I knew if I did that I would never get to see this Album." The old man was, also, in a terrible rage and addressing his daughter-in-law said, "I thought he was some old rebel sympathizer." "Yes, I replied, I always sympathize with the oppressed." How Mrs. M. would you like it if this little child of yours and others were dead and the Album containing her likeness and those of other dear members of your family was taken from you and kept from you." She said "it is an ungentlemanly act &c."

The depy. and I walked out got into the buggy and drove off and met Mr. C. who was rejoiced when I told him "I have the Album here with me." He advised me to drive on and told the depy. Const. to go with him and give "a copy" of the writ and petition and returning he remarked to me "they are terribly excited." The old man said he saw you with your hand as he supposed, holding a revolver in the outside pocket of your coat. He guessed exactly right for I had my cousin Tom's 6 shooter in my hand ready for any emergency tho' neither Mr. C. nor the Constable or anyone else, save my cousin knew I had any weapon with me. Mr. Couch would not let me return with him fearing a riot and blood shed.

We rode back the same way we went. Got to Waterloo at 11 at night, all the time in the rain and about the darkest night I ever saw—as "darkness was, indeed, made visible." But for a lantern which I got Mr. C. to borrow of Theo. Moore we could not have been otherwise than lost in the prairie and timber as our horses were often out of the road. I am very tired and a little stiff yet.

D. E. Moore agreed with Mr. C. after I left them to take ten Dollars and not require me to attend the trial at the Justice's on the 15th inst. My counsel and friends advise me to pay the ten dollars at (as) it will cost 3 times that sum to go out 125 miles again and probably a fight or a footrace. Answer me by telegraph say "pay it" or "don't pay it"—as you may prefer.

I'll send you the Album by Express to-morrow or next day if advised by attys. here that I will not be required to take it with me to the Court. I am pressed greatly for time and may have to go to Chicago in a day or so to see my very sick grand ch(il)d Maria's and as I ought to go to my farms, then to St. Louis and may be to see you, George Addie and your families, and other friends— God bless you and yours ever I sincerely pray.

(Signed) GEO. W. JONES.

Hon. Jefferson Davis,
Memphis, Tenn^ee

Jefferson Davis to P. Phillips.

(From Manuscripts Division, Library of Congress.)

Memphis Tenn.
26th Sept. 1874.

Hon. P. Phillips

My dear Sir,

Please accept my sincere thanks for your attention to my request about my papers and trunk said to be in the War. Dept. at Washington. The trunk has been received, and found to be one placed in charge of a Quarter Master, and which was taken to Florida, where as reported to me it was found and seized by Genl. Vogdes and sent to Washington.[1] The papers I hoped to

[1] War Department
Archive Office,
Washington, Sept. 7th, 1874.

Phillip Phillips Esq.
Washington D. C.

Sir;

I have the honor to inform you that I am directed by the Secretary of War to turn over to you certain papers and effects of Mr. Jefferson Davis as requested in his letter, of July 13th 1874 to you.

If You will please call on me at your convenience and receipt for the articles above mentioned, they will be delivered to you.

Very respectfully
Your obedient servant
E. D. TOWNSEND
Adjutant General
U. S. Army.

[Indorsed: Genl. Townsend]

[Endorsed: *Davis Papers. Library of Congress.*
Copy of/Receipt/for/Jefferson Davis/
property/given by me to/Genl Townsend/
September 9, 1874.

Note In Sept. 1874, Ex Presdt Jefferson Davis wrote to my father requesting him to endeavor to have his private property (which had been captured when he was taken prisoner in 1865) restored to him. My fathers efforts were crowned with success and the trunk containing the articles within specified was exhumed from the vaults of the War Dpt. The Herald man seems to insinuate that a female article of apparel was found, but this is wholly untrue as my father witnessed the opening of the trunk.

recover as connected with business matters were those seized in Hinds Co. Missi., at the place and time when my library was

Very foolishly Mr. Davis' pistols were not returned to him. These were presented to him during the Mexican War. W.H.P. 1875]

Inventory of Books, Papers and Effects of Jefferson Davis, returned to him by Adjutant General E. D. Townsend September 9th 1874.

Books.

One Ledger, partly filled by lists of names.
" do " " " "
" Portfolio " " " "
" Pass Book containing names.
" " A/c with Farmers Bank of Virginia (Checks enclosed)

Papers.

One Package— Lists of names and requests for Speeches and Documents while Mr. Davis was in U. S. Senate.
One Package, "Letters in care Mrs. Bayley 1845"
" " Bills, Receipts and Promissory Notes.
" " Care Schooner Pactolus and Barque Palestine, (before the war.)
" " Letters N. E. Barnes, Agent and Svt. "Ben."
" " Land Operations &c.
" " Checks on Farmers Bank of Va. and statement finances—(private)
" " Railroad passes.
" " Cards and Mementoes.
Two Envelopes—Containing Hair, Beads, Photographs & Letter of Andrew Jackson to William W. Gray, Esq. May 2d 1831.
One Package, letters from Mrs. to Mr. Davis.
" " " " Mr. to Mrs. Davis.
" " " " Bro. Jos. E. Davis.
" " " of condolence on death of little boy.
" " Telegrams from different persons, business and domestic.
" " letters from various persons, friendly and business.
" " letters between relatives.
" " newspaper extracts, poetry, recipes &c. &c.

Effects.

One (1) Wrapper.
Six (6) Linen Shirts.
One (1) Pair Bootees.
One (1) Linen Duster.
One (1) Sole-leather Trunk.
One (1) Satin embroidered dressing case, with two Razors, One Toilet Comb, and one small corkscrew.
One (1) Rogers & Son's Razor Strop.
One (1) Pair gold rim Spectacles.
One (1) pair gold rim Eyeglasses. (broken)
One (1) silver Tea spoon.
One (1) bunch of Six Keys.
One (1) Small paper box, containing one massive plain gold ring, One pair gold Tweezers, One gold Watch charm or Miniature Opera Glass and One small nugget of gold.
Five (5) boxes Cigars.

Mr. Davis' woolen clothing was so badly moth eaten as to necessitate its being destroyed several years ago.

E. D. Townsend
Adj't. Genl

taken, as reported to me, by the command of Genl Ewing. I have been told that those papers were placed in a box and sent to the War Dept. by the order of Genl. Sherman. I am glad to have the family letters found in my trunk; and many of the same character including letters written to me by my parents when I was a school boy, left in my library and taken thence as stated. I had hoped to get from the War Dept. Perhaps under the kind offices of Genl Vincent the "box" might be found and after proper examination it's contents be dealt with as were those of the trunk.

The old double barrel pistol which was in the trunk was used by me in Indian campaigns when I was a Lieut. in the U. S. Army. It has no intrinsic value, but from association is valuable to me.

I send enclosed a slip cut from the New York Herald. The tissue of falsehoods it contains were probably intended to support the malignant slander which originated with a correspondent of that paper, who was on the steamer on which I was transported after my capture, and whose rude intrusion I repelled in a manner which he revenged by writing to the Herald that I had been captured in female attire. A soldier of Maine one of the command by which myself and family were captured on seeing the publication in the Herald, wrote a card in which he denounced the story as a falsehood, saying though he thought I ought to be hanged and wished it to be done, that he would not be a party to falsehood, even by silently permitting it to pass. His card was widely republished, and one or two years since again appeared in a Chicago paper. A negro servant who waked me when our camp was surrounded, also made a statement which was published in N. C. contradicting the story as positively as the Maine Soldier had done. The base coin thus stamped, it is now attempted to make current by offering the names of the officers by whom the trunk was opened as endorsers, and saying of the deceased Stanton what for his sake is I hope equally unfounded as other parts of this story. At the time of my capture I had no trunk with me, my whole luggage was in a Valise which was carried on a mule. My trunk afterwards found in Florida had been left far away with a Qr. M. who left Va. to go to the west side of the Missi. River, and if it had in it, as stated, a petticoat, it must have been fraudently put in it, after it was seized by the U. S. officials; a thing too improbable for belief. My family left Richmond some time before I did, and after the surrender of our armies in Va. &

N. C. not being able to communicate with me, started under the advice of friends to the South Eastern coast. I with a small party after the surrender of J. E. Johnston, started to join the forces supposed to be yet in the field west of the Chattahoochie, and changed my course from the S.W. to the S.E. because of the report that a party of robbers were in pursuit of the train with which my family was travelling. After my hard riding, day & night, I arrived just in time to deter the party from making the attack. It was thus I was accidentally with my family and with a train having wagons. A trunk belonging to my Wife was broken open by a soldier who robbed it of various articles of wearing apparel. I was told that his musket went off when prizing open the trunk and caused the loss of one of his hands, if so it made a significant record of the theft and mark on the thief. I have been thus explicit as well to show you how base and baseless the story is, as in the hope that the gentlemen who are thus sought to be put in the attitude of endorsing a falsehood may brand it in some unmistakable form. It may be that they would not in the case wish to appear as my defenders, but would answer an interviewer of some rival paper. I feel sure this will give you trouble, and but for the confidence I have your willingness to oblige me and to protect any one against malicious falsehood would not thus tax you. I am glad you divided the cigars with Genl. Vincent & if you think it would be agreeable to him, please give him my thanks for his kindness.

With affectionate remembrance to Mrs. Phillips and best wishes for you and yours in all of which Mrs. Davis cordially unites, I am

very sincerely
your friend
JEFFERSON DAVIS.

[Indorsed: Jeff Davis
Ex President of the Southern
Confederacy].

Wm. P. Johnston to Jefferson Davis.

(From Confederate Museum.)

Lexington, Va.
Oct. 6, 1874.

My Dear Friend,

Before I left Louisville I saw Dr. Yandell, but as he drew a distinction between his manuscript copy and the published letter

I did not think it worth while to ask for a copy of an imperfect document. I wrote to Col. Robt. McKee, (of Selma Argus) to learn if he had a copy. Perhaps you could get a copy from John Forsyth from the Mobile Register.

Genl. Thos. H. Taylor at the Louisville Hotel has copies of dispatches from May 13th to 16th about Baker's break between Genl. J. E. Johnston and Genl. Pemberton, which he will give you on condition he is not drawn into any controversy thereby. He seemed to prefer to deal with you directly in the matter. If you wish them you had better write to him.

There is a matter I wish your advice about. Genl. Beauregard, when here, said to Mr. Tucker, in reply to a question as to the difficulty of taking up my father's plans at the time of my father's death that it was not difficult for he had made the plan of the battle of Shiloh. I had heard this inferred from his report of the Battle in which this is implied.

I do not believe it, *because* if he had my father's conception of that battle, he never could have withdrawn the troops Sunday Evening. It is quite possible he may have been consulted as to the disposition of the troops, but I do not think more than that. If I find any evidence one way or the other among my father's papers, I certainly shall not withhold any credit due to Genl. Beauregard, nor do I wish to do him the injustice of ignoring any claim he may justly have; but the recklessness of assumption in his Report leads me not to accept his bare statement as conclusive.

I w(oul)d be glad to have your advice as to the best method of getting at the facts outside of the documentary proofs or in default of them. Do you think Bragg, Harris, or anyone else could help in the matter?

It has seemed to me that you would not trench upon your dignity, if you were to make your efforts for the International Steamship Co. depend upon your proper employment by them, and if you were to so inform them when opportunity offered.

I saw Jeff yesterday.[1] He is very well. My family are all well. I suppose this will be forwarded to you.

Very Truly Yours

(Signed) Wm. Preston Johnston.

To
Hon. Jefferson Davis.

[1] Jefferson Davis Jr.

Jefferson Davis to P. Phillips.

(From Manuscripts Division, Library of Congress.)

Memphis, Tenn. 9th Oct 1874.

P. Phillips Esqr.

My dear Sir,

Thanks for your kind attention to my letter about the slanderous letter to the Herald.

It would answer the purpose I had in view to publish extracts from my letter, as that would not touch the apparent endorsement of the story, contained in the reference to the officers who opened & examined the trunk.

Very truly your friend

JEFFERSON DAVIS.

[Indorsed: Jeff Davis
9. Oct 74]

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

New Orleans 23d Nov. 1874.

Maj. W. T. Walthall

My dear Sir,

I have been told that a letter of Dr. Yandell who was the Medical officer with Genl. J. E. Johnston, was published in the Mobile Register, when J. was commanding in N. Ga. If so you would oblige me by sending me a copy of the published letter. The original was put in the mail to be forwarded to Europe, but first got to the Confederate War Office and as it (is) calculated if not designed to exalt Genl. J. at the expense of the Government and cause of the Confederacy, the letter was stopped and Dr. Y. ordered to the trans Missi. Dept. where his services might not be diverted from their proper channel. The published letter is I learn a modification of the original and that Dr. Y. declined to give a copy of the latter and my friend who called on him declined to receive from him an imperfect document.

I had hoped to see you when recently in Ala., but having been detained in Montgomery longer than was anticipated, an engagement of a business character required me to pass directly through Mobile in returning.

I hope you are progressing in your contemplated history of

the army of Tennessee. Genl. Bragg has left you but I hope did not take his records and letters with him.

With best wishes for you and yours I am very Respectfully and cordially

Your friend
JEFFERSON DAVIS.

Address
Care of Payne, Kennedy & Co.,
64 & 66 Baronne Street
New Orleans

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

New Orleans
28th Nov. 1874.

My dear Sir

Accept my thanks for your kind attention to my request. I do not know when the publication of the Yandell letter was made. Only heard that it had been published in the "Register" and that it had been materially changed before publication.

I have long desired to have a full conference with you in regard to historical work and had expected to have that pleasure when returning from Montgomery. Some business arrangements which have been commenced but not completed, will determine my location for the winter and afterwards. At this time it is only possible to see so far as my return to Memphis, where it will give me pleasure to receive letters from you, and whence, if absent, they will be forwarded to me.

With best wishes for you and yours I am

Your friend
JEFFERSON DAVIS.

Maj. W. T. Walthall.

R. H. Chilton[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Columbus, Ga., Decr. 7th, 1874.

To The Honble Jeffn. Davis,
Memphis, Tenn.

My dear Sir,

Yrs of 27th ulto would have been earlier answered, but I am so constantly occupied with business correspondence during the day at my office, with frequent interruptions by persons calling

[1] Colonel A. A. G. to Gen. Robert E. Lee.

on me for information relating to purchases and sales, as to make other correspondence difficult, and at night, under frequent late neuralgic attacks, to write, is apt to bring them on. In answer to your enquiries I wd say:

1st As regards the condition of the Army of N. Va., when Gen'l Lee took charge of it, after the battle of "Seven Pines," it impressed me as being an "Armed mob," and I so stated to you in conversation, shortly afterwards. It was extremely wasteful, little observant of the relations which should exist between commanders and the commanded, and absenteeism without proper authority, prevailed largely amongst both officers and soldiers, which greatly reduced effective strength. In a word, it was magnificent material, of *undisciplined individuality*, and as such, correspondingly unreliable and disorganised. There were natural causes measurably explaining this. This Army was, as it were, in a chrysilas state, emerging from the Provisional to that of the Army for the war, officers and men not yet understanding each other, reorganization having been effected in front of the enemy and on the march. Brigading by States being then in process, and the vacancies created by engagements on the Peninsula and at Seven Pines being filled. I have considered Gen's Lee's exhibition of grand administrative talents and indomitable energy in bringing up that Army in so short a time to that state of discipline which maintained aggregation through those terrible "Seven days fights around Richmond," as probably his grandest achievement. Before assignment to that command he had been, as you remark "belittled," and was consequently more or less distrusted, while after such exhibitions of ability, he acquired such a hold upon the confidence and affections, yes I may add adoration, of his troops, as made his after operations comparatively easy. But even here, the splendour of his acts was somewhat dimmed by the failure, as at Cheat Mountain, of others,—had not those upon whom he had the best right to rely, failed him, I have ever believed that the Federal Army would have been annihilated before reaching the James river.

2d. Respecting my recollections of the affair at "South Mountain," you are aware that a confidential Gen'l Order was issued from Hd Qrs. A. of N. Va. while at Leesburg Va. and distributed to all Division Comdrs. under which all except Longstreet and D. H. Hill were detached for an attack upon Harpers Ferry, and also upon the Army of Western Va under Milroy. Longstreet's command moved with Army Hd. Qrs. to Hagerstown Md., there to await the return of detachments after performance of duties

assigned to them, or to extend support if needed, while D. H. Hill who had been ordered to destroy the Monocacy Bridge to break up the R. R., so as to delay any pursuit by the Federal Army, was, this duty performed, to follow and occupy the pass at South Mountain, and to cover our rear. We had been at Hagerstown about 1½ to 2 days, when the rapid approach of the Federal Army was announced, and troops were again in motion to support D. H. Hill, and to delay the enemy and protect operations at Harpers Ferry. On the arrival of Gen'l Lee at South Mountain with Longstreet, we found D. H. Hill slowly falling back, which was partially checked by supports sent forward, but by dark the Federals held the "Pass." Our position being untenable, as liable to be turned, and thus cutting us off from the Potomac, we retired unmolested during the night to Antietam or Sharpsburg, as a stronger position and nearer to our supplies, and at the same time convenient for the more rapid concentration of our army. Holding McClelland temporarily in check at South Mountain, gave time to secure benefits resulting from the capture of Harpers Ferry, and to enable McLaws' Division to cross over to the N.W. bank of the Potomac, and rejoin the Army by recrossing at Shepardstown.

The loss of the Confidential Genl. Order refer'd to, which was found on the grounds of an abandoned Division camp, and immediately forwarded to the Federal Army Hd. Qrs., led to the immediate availment by McClelland of opportunities presented, the attack upon us in detail while weakened by detachments operating elsewhere.

But for this loss, ample time would have been afforded for the accomplishment of the purposes of that order, and the concentration at Hagerstown of the Army, largely increased by stragglers being brought up, whose absence had reduced our effective strength more than one half. With such an Army, we should have been able to have given, instead of receiving battle, with at least 2 to 3 instead of 1 against 3 as was the case, our forces not exceeding 33,000 and they not present during the first day's fight.

If a drawn battle, under such a disparity of numbers, in full force, what might we not have accomplished against an already demoralised army? which if defeated so far from its supplies, would have opened the way to, we will say, *real peace.*

Very truly yr. friend, R. H. Chilton.

P.S.

I write entirely from memory, having had no time to journalise, as you perceive, I give no dates, simply occurrences as

recollected. As regards use of my name *if a necessity,* give it as authority for what I have stated as facts, to the best of my recollections. I resigned and served for what I considered then, as *now,* the right cause, to the extent of my ability, mental and physical, neither very strong, but such as they were, freely given. Having occupied no very elevated position, I have not come under the shafts of envy or abuse, and altho' two parties have dragged me in to screen themselves, it hurt me little, and controversial issues amongst ourselves, instigated too often by personal vanity, are what the Yankees best love to see.

R. H. Chilton to Jefferson Davis.

Columbus Ga. Decr. 8th, 1874.

Honble. Jeffn. Davis,

My dr Sir,

That lost order has been a sore subject with D. H. H. and of correspondence with me. Not having as I have told you kept a journal, I could but give my recollections, viz. that they were sent to all Division Comdrs. entrusted with special duties, his at the Monocacy, that couriers were required to bring back envelopes or evidences of delivery, failure in doing this leading to a duplicate order to ensure its receipt. That omission to deliver in his case so important an order w'd have been recollected as entailing the duty to advise its loss, to guard against consequences, and to act as required. (Steward in escaping from a surprise lost such an order but immediately reported the fact to prevent disaster.) But I could not of course say positively that I had sent any particular courier to him after such a lapse of time. He replied with further suggestions, but in the meantime I had written to Col. Edward Wright (you know him late Senator Wm. Wrights son N. J.) who was on McClelland's Staff at the time. He stated that the order was found as stated, immediately sent to McC., who at once gave orders to meet the opportunity. He sent me a copy of the order which he copied at the time, addressed to D. H. Hill signed by me officially. I w'd have been glad to have relieved Hill from the charge or at least give him the benefit of the doubt, but in reply to his last, I simply sent him a copy of, or the copy sent me by Wright with his remarks. I have the letters from both somewhere and will hunt them up. Hastily yrs, R. H. C.

endorsed: R. H. Chilton; ansd. 12th Jany. '75; (Hill's lost order.)

Wm. Preston Johnston to Jefferson Davis.

(From Confederate Memorial Hall.)

Lexington, Va. Decr. 8, 1874.

My Dear Friend,

I write merely to acknowledge your two kind letters and to thank you for your suggestions, which I will avail myself of. Govr. Harris has already replied to me substantially that he would *not write* what he *said*. Others *do* not. Breckinridge always evaded, Preston does not reply to my letters. Genl. Bragg is the only man that has written *without reserve*. I will write to him about Beauregard's claim to "the Plan of Battle."

Jeff dined with us Sunday. He is well.

I am thoroughly engaged on the Memoir of my father. I do not find authorship easy work. My habits have made me critical in style, and I am never satisfied with the result. Your kindness greatly aided me in the chapters I read to you, by assuring me of the correctness of my positions.

Please remember me to Mrs. Davis and the young ladies, and believe me

Truly yours,

Wm. Preston Johnston

To Hon. Jefferson Davis,
Memphis, Tenn.

Jefferson Davis to Marcus J. Wright.

(Davis Letter in Collection of General Marcus J. Wright, Washington, D. C.)

Memphis, Tenn.
18th Jany, 1875.

My dear Sir,

Yours of the 13th has been received, and herewith I send the letters you requested.

Dr. McKay's residence is but a half hour's run from London and at a beautiful place. I am sure you will find a visit to him very pleasant, and that you will have by himself and family a "Highland welcome."

I expect to leave here in a few days, to attend to business matters, which may require my absence for a considerable time.

Poverty compells me to seek for whatever employment may serve my needs, and nothing offers to me here. Therefore, though I would be glad to have your journal, I cannot give you a permanent address.

Yes, it may be hoped that the gross usurpation by the Executive in the case of Louisiana, will work good in the end. If there is in the people of the North a just appreciation of the value of constitutional government it must be so.

The danger is that the steed may starve while the grass is growing.

With kindest memories, and earnest wishes for your welfare.

I am ever truly your friend,

Genl. Marcus J. Wright, JEFFERSON DAVIS.
Jackson, Tenn.

Braxton Bragg to Jefferson Davis.

(From Confederate Museum.)

Galveston.
Feby. 16, 1875.

Jefferson Davis,
Memphis, Tenn.

Dear Sir:

At a meeting of the "Mexican War Veterans of Texas", held in Austin on the 22d ulto., a committee was appointed to arrange for an anniversary meeting in that city on the 8th of May next.

We extend to you a cordial invitation to join us on that occasion, and assure you of a warm greeting and hearty welcome, not only from your old comrades but from the people of the State at large.

Very truly yours,
(Signed) BRAXTON BRAGG.
Chairman of Committee.

Gen. S. B. Maxey, our new U. S. Senator, has consented to deliver an address and we anticipate a large meeting, including a member of your old regiment, now citizens of Texas.

B. B.

Fannie Breckenridge[1] *to Jefferson Davis.*

(From Confederate Museum.)

Lexington.
Feb. 19th, 1875.

My dear Mr. Davis:

While my father's health is somewhat improved, he is still unable to reply to your letter of the 25th of December; and

[1] Daughter of John C. Breckenridge.

he desires me to write for him briefly, for fear something might postpone, or prevent his writing you fully upon the subject mentioned in your letter. He says he notes an extract from a book called "A Rebel's Recollections" as follows: "Worse than all, Gen. Lee had been deserted by the terrified government in the very moment of his supreme need, and the food had been snatched from the mouths of the famished troops (as is more fully explained in another chapter) that the flight of the President, and his followers might be hastened", and that it is wholly and grossly false.

On the day Gen. Lee's lines were broken before Petersburg, and for week's before, a greater quantity of supplies were subject to the orders of his Chief Commissary, than had been the case for eight months previous. The withdrawal of the Government from Richmond, had no effect whatever upon the question of Supplies.

Respectfully and truly yours,
(Signed) FANNIE BRECKENRIDGE.

Pa desires me to say that your note enclosing the strange and unintelligible letter from New York has been received. That he gets a great number of the same kind, he supposes they are from some poor insane woman, and he begs you will not trouble yourself about forwarding any more that may be sent you. He and Ma desire to be very kindly remembered to Mrs. Davis and yourself.

Truly yours,
(Signed) FANNIE BRECKENRIDGE.

Wm. E. Estes[1] *to Jefferson Davis.*

(From Confederate Museum.)

Jefferson Texas
Feby. 23d, 1875.

Honl. Jefferson Davis,
Memphis.

Dear and Esteemed Sir,

This is a day that I have for the last 28 years remembered. This morning I offered up my prayer for the welfare of yourself and all you hold near and dear. It is the Aniversary of

[1] Sergt. Co. E First Mississippi Volunteers War with Mexico; Major 32nd Texas Cavalry C.S.A.; died at Texarkana, Texas, November 1902.

the Battle of "Buena Vista" and the Panorama of the entire day's conflict is as vividly impressed on my mind as if it were yesterday—We have an Organization in Texas (which domiciles at Austin) of the "Veterans of the Mexican War." We have 308 survivors on the Roll. Among that number *Those who claim the honor (I am included)* of belonging to "Jeff Davis' " first Miss. Regt. At a late meeting a committee was appointed to arrange for the celebration of the Anniversary of the Battle of Palo Alto, (May 8th) by a grand meeting and reunion of all the survivors. Genl. Saml. Bell Maxey, our lately elected United States Senator, informs me you will probably attend our meeting. Can you do so? If you could know the esteem you are held in by our people and listen to the devout prayers put up humbly by our women and children *everywhere in our South* you would come to see us. The universal opinion even among the *ignorant and uninformed* is "that you more than succeeded, for you deserved and merited success." Hoping to hear from you at your convenience and with hopes for the welfare of yourself and yours.

I remain your old Soldier,
(Signed) William E. Estes.

I have some cousins in your City by my name, (Estes) who know me.

Virginia Montgomery[1] *to Jefferson Davis.*

(From Confederate Museum.)

Hurricane, Miss.
March 11th, 1875.

Very kind Sir,

Your favor of the 8th inst came duly to hand. I am extremely obliged to you for your kind sympathy and the suggestions in regard to my father. If he were not improving as rapidly as we can expect, he would gladly avail himself of the opportunity to place himself under any medical aid you would recommend.

Neuralgia in his left shoulder is now his severest trouble. His strength is steadily returning, yet he is unable to stand up.

Very truly your obliged Servant,
(Signed) Virginia Montgomery.

[1] Daughter of Ben Montgomery, a former slave of Jefferson Davis and manager of the Brierfield Place, Mr. Davis' plantation.

Kinloch Falconer[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Holly Springs, Miss., March 23, 1875.

My Dear Sir:

I have applied for a position in the Army of the Viceroy of Egypt, and have been asked to furnished Testimonials of my military services.

During our late glorious struggle, I was Asst. Adjt. Gen'l of the Army of Tenn., and served at Hd. Qrs., on the Staffs of Genls. Bragg, Hardee, Johnston and Hood, from the Battle of Murfreesboro to the Surrender at Greensboro. While you may not have personal knowledge, yet Gov. Isham G. Harris, who was with that Army great portion of the time, can give you full information concerning me.

Is it asking too much to request you to write me a letter, speaking of my service in the Confederate Army? I am sure it is not, for no Southern soldier has ever hesitated to ask a favor at the hands of his Chieftain.

I am, My dear Sir, Very Truly, Yours,

KINLOCH FALCONER.

Ex-Prest. Jefferson Davis.)
Memphis, Tenn.)
endorsed: K. Falconer and Gov. Harris; ansd. 8th April.

Isham G. Harris to Jefferson Davis.

(From Confederate Memorial Hall.)

Memphis, Apl. 4, 1875.

Hon. Jefferson Davis,
Dear Sir,

Col. Kinloch Falconer writes me asking a testimonial of his military services, and informs me that he has also written you on the same subject. Thinking it probable that you have known less of Col. F. than myself, I venture to suggest the following facts.

Col. F. entered the Service as a private in Co. B. of the 9th Mississippi Regt., in which capacity he served 12 mos., then made Adjt. Genl. of Major Genl. J. B. Villepique in which

[1] Major A. A. G. to Gen. Jos. E. Johnston; secretary of state of Mississippi, died of yellow fever in 1878.

he served 8 mos., was then made Asst. Adjt. Genl. of the Army of Tennessee. The duties of which position he discharged to the entire satisfaction of all the Generals who commanded that army to the end of the War. Indeed, I know no man who was more efficient or faithful in the discharge of his duties in the army than Col. F.

In addition to which he is a gentleman of high character, and enjoys the entire respect and confidence of all who know him well. I hope you may be able to give him a strong testimonial, as he is a most excellent man.

Very truly your friend,
ISHAM G. HARRIS.

Kinloch Falconer to Jefferson Davis.

(From Confederate Memorial Hall.)

Holly Springs, Miss. April 9th, 1875.

Ex-President Davis,)
Memphis, Tenn.)
My Dear Sir,

Yrs. 5th inst. rec'd by yesterdays mail, enclosing Testimonial. I thank you more than words can express for the kind terms in which you speak of me.

If I saw any hope in the future for Mississippi, nothing could cause me to leave my native State; but I have almost despaired. The negroes are greatly in the majority, and massed under the leadership of disreputable adventurers, and our own people are not united or enthusiastic. I have remained here, to the sacrifice of my private interests, only to witness defeat follow the "policy moves" which Mississippians persist in adopting. It is humiliating to me to know that honorable men will hope to redeem the State by following the advice and lead of such men as James L. Alcorn.

If I succeed in my present application, I shall not expect to leave until after the coming Fall canvass.

Whenever I may go, the most cherished memory of my life will be that I was a Confederate soldier, and that as such I tried to do my duty. And my proudest boast will be, that during our unfortunately unsuccessful struggle, the brave Southerners had for a Chieftain one who is as great in peace as in war, and who, to-day is "first in the hearts of his countrymen." That the country will, ere many years acknowledge the justice

of our cause, I have no more doubt than I have of my existence. May *God* bless you, and spare your honored life until that glorious consummation.

I am, my dear Sir,
Very Truly, Yrs.,
KINLOCH FALCONER.

endorsed: Kinloch Falconer; ansd.

J. B. Hood to Jefferson Davis.

(From Confederate Memorial Hall.)

New Orleans, March 27 '75.

Honble. Jefferson Davis,
My dear Sir—

You will doubtless remember your visit to the Army of Tennessee after the Fall of Atlanta, and during the latter part of September, 1864, whilst we were lying in bivouac near Palmetto Station, on the West Point R. Road; also your conference with myself, and subsequently apart with the Corps Commanders, in relation to the condition of the Army, the means by which we could reinspirit it, and, if possible, defeat the enemy, increase our strength and regain the mountains of Georgia, Nature's grand outwork guarding in that direction the centre of the Confederacy.

You would confer an obligation by giving me in brief the views which I expressed to you upon that occasion, and a simple statement of the operations I proposed to carry out if retained in command of the Army; also the opinions of the Corps Commanders in regard to our situation at that period.

I would likewise be gratified to have you give me, if still fresh within your memory, the opinion of Lt. Genl. Hardee, expressed to you in Augusta Georgia, after he had been relieved from duty with his Corps, touching my proposed move to the rear of Sherman, prior to the Tennessee Campaign.

Since these facts are of historical value, and, owing to recent publications, have become the subject of serious discussion, I trust you will not consider that I am trespassing upon your valuable time by making the foregoing request.

With high regard and esteem, I remain,

Yours most truly,
J. B. HOOD.

endorsed: Genl. Hood.

Geo. E. Payne to Jefferson Davis.

(From Confederate Museum.)

EBBITT HOUSE,
Washington, D. C.
April 1st, 1875.

My dear Colonel Davis:

Your letter of the 25th ultimo was forwarded by my New York friends and reached me yesterday and it was only from the apparent urgency of the case that you get my early response, for I am suffering from one of the worst attacks of gout I have ever had and am scarcely able to hold the pen in my hand.

I wrote to Messrs Pittman yesterday—I have no papers of any kind to refer to, yet I have a perfect recollection of nearly every transaction of Oakey, Payne & Hawkins, remember as if it were only ten minutes ago the first time I met you, it was at your Brother's House at Huricane the last week in September 1836—besides recollecting the receipt and sales of your Brierfield cotton and sending supplies on your orders and of going with you to Esplanade street to purchase slaves I remember more than one occasion when your brother called at our office as he was quite in the habit of doing to have a chat with Col. Oakey that he mentioned Brierfield as Yours—

I expect to return to New York next week and if I can be of service to you it will afford me pleasure.—

Very truly your friend
(Signed) Geo. E. Payne.

J. Stoddard Johnston[1] *to Jefferson Davis.*

(From Confederate Museum.)

Frankfort, Ky.
April 13, 1875.

Hon. Jefferson Davis,
Memphis, Tenn.

My dear Sir:

I mailed you yesterday a speech delivered by me lately in Hopkinsville which I hope you have received and read. It was a great provocation which could have induced me to make it, but having made the issue I desire to sustain myself. No man has been so course and abusive of you as Williams and I shall

[1] Colonel, V.A.D.C. to Gen. Braxton Bragg.

feel if I succeed in defeating him either by myself or another, that I have discharged a duty even higher than one of mere personal obligation.

I have never been able to learn how, with charges pending, he came, without acquittal, to be assigned to duty, as he was in May 1864, to the command of a brigade of my Cavalry (Grigsby's). I do not know if you can throw any light on this or any other point bearing on my controversy, but if you can, you may rely upon my discretion not to bring anything you may say to me to the public.

I feel that I have been grossly assailed and under some circumstances I might appeal to you for a certificate of character, but I believe I can weather the storm without it.

With the present necessities of canvassing and the system of selecting delegates, I have but little hope of a nomination, but I do desire and expect to come out of the contest without detriment to my name.

With kindest regards to Mrs. Davis, yourself and family,

I am, very truly yours, etc.,

(Signed) J. Stoddard Johnston.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Memphis, Tenn.
26th April 1875.

My dear Sir,

I am thankful to you for your kind letter of the 20th ulto. and for efforts to find the letter of Dr. Yandell. The published letter I have been informed was a modification of the Mss. mailed for publication in England, but yet enough remained to show that the cause of the Confederacy was subordinate to the purpose to magnify his Chief Genl. J. E. Johnston by blaming the administration.

The desire you express in regard to the vindication of the principles for which our battles were fought is the first object of importance with me. But poverty does not permit me to make it first in the order of things to be attempted. The transfer of the "Carolina" L. Ins. Co. to the "Southern Life," while I was absent and in disregard of my opinion, cost me $15.000, that being the amount of my stock, and note since paid; and that loss from my small means has kept me from that time to this

in anxiety, and thus far unsuccessful effort, to provide for the future wants of my family.

Your kind offer to aid me by fragmentary labor may excuse me for saying that in the proposed work, I should if possessed of sufficient means to offer you a salary, have requested your assistance. Perhaps my fortunes may improve, from the wreck made by the War I may yet get something, but confidentially I will tell you that those who should have been first to regard my interests are as eager to appropriate the wreck as the yankees were to make it.[1] But I only intended to say that if the courts can be expected to view *my case* without prejudice there is reason to hope for improvement in my condition and for leisure and rest for work on the history. Like yourself I have argued against the idea of leaving history to posterity. While admitting that the future historian may alone be able to write without bias and therefore to make a history in the higher sense of the word, surely unless cotemporaries furnish the material, posterity cannot judge of events and describe their causes.

With great regard I am ever truly your friend

JEFFERSON DAVIS.

Maj. W. T. Walthall

Jacob Davis to Jefferson Davis.

(From Confederate Museum.)

Columbus, Indiana.
May 31, 1875.

Hon. Jefferson Davis,
Memphis, Tenn.

My dear Sir:

Referring to previous correspondence, I would state that our Agricultural Fair will be held early in Sept. The date, yet to be fixed, will be such that it will not interfere with other similar Fairs near us.

I beg to assure you of a very general sentiment of the highest regard for yourself personally pervading our community. In view of this, and from the fact of your wide experience with different sections of our country, and knowledge of their mutual interests in an agricultural point of view, it would be exceedingly gratfying to our people if you could spend at least one day with us.

[1] Reference is here made to the efforts of the heirs of Jos. E. Davis eldest brother of Jefferson Davis to secure the ownership of Brierfield.

I will notify you at the earliest date possible of exact time of holding our Fair, and earnestly hope that you may grant our wishes and so shape your business affairs as to be with us.

With high regards, etc., I am,
Very truly yours,
Pres. Bath Co. Agl. Society.
(Signed) JACOB DAVIS.

Jacob Davis to Jefferson Davis.

(From Confederate Museum.)

Columbus, Indiana.
June 25, 1875.

Hon. Jefferson Davis,
Memphis, Tenn.

My dear Sir:

Since my last we have decided to hold our Fair, Sept. 14 to 18 inclusive and I trust you may adjust your time so as to be with us on Wednesday or Thursday of that week.

The knowledge or impression rather, that you will be here has gone broadcast through this and adjoining states, has been noted and commented on by numerous journals—Agricultural and political, and I assure you, your coming is looked for with unusual interest. Thousands of people will surely avail themselves of this opportunity to see and hear one of such national Experience, and learn the sovereign balm for the ills present and prospective, which so afflict the Agricultural interests of all sections of our common country.

Hoping to receive an early and favorable answer, I remain,
Very truly and respectfully your obedient servant,
(Signed) JACOB DAVIS.
Pres. Barth. Co. Agricultural Soc.

The newspaper clipping enclosed with this letter follows:

LETTER FROM JEFFERSON DAVIS.

As mentioned a few days since in the *Ledger*, Mr. Jefferson Davis was invited to make an address at an agricultural fair in Bartholomew county, Indiana, and before deciding the most violent opposition was raised by the warriors around there who hired substitutes or had to go out as "hundred days" men. Not many of them ever saw a rebel, unless they guarded some cap-

tured by soldiers, Perhaps none of the loyal howlers ever killed one. So they announced that they would set themselves right on that charge by killing Jeff. Davis the big old rebel of all. The managers of the fair were Republicans and gentlemen, and in the face of these threats stood by the invitation and urged Mr. Davis to come. His final reply declining is published in the Courier-Journal, and is altogether what was to be expected from one so able, ready and dignified. It is as follows:

Memphis, Tenn., Aug. 29, 1875.

Jacob Davis, Esq.

My dear Sir:—In addition to the telegram sent to you of this date, I write in order that I might state fully the reasons which induced me to notify you not to expect me at your agricultural fair. I sensibly feel the cordial invitation which you extended to me, and hoped that the contemplated address might be useful to the material interests common to all portions of the Mississippi Valley.

Nothing was further from my purpose than the discussion of political questions, and, therefore, I did not ask whether my audience would be in accord with myself on political subjects, or of a creed wholly antagonizing my own.

From your letter of the 17th inst., I learn that you consider there may be hazard of opposition to my reception as the orator for your approaching fair, and that yourself and others—officers of the organization—unanimously decided to stand by the arrangement you had made.

I thank you for the courtesy and consideration thus manifested, but can not agree that your regard for what is due to me should subject yourselves, or your association, to any risk of censure or injury. I am not the less, but rather the more, careful to avoid such a consequence, because of the magnanimity expressed in the fact that over two-thirds of the officers in your association are of the political party most opposed to myself.

It is gratifying to me to know that the Union soldiers of your section do not participate in whatever opposition exists to my coming among you, and I will add that, for public considerations, it is to be regretted that any class in the county should be less liberal than they.

With my best wishes for the success of your association, and for you individually, I have the honor to be,

Yours, respectfully,

(Signed) Jefferson Davis.

H. P. Kimball to Jefferson Davis.

(From Confederate Museum.)

WINNEBAGO COUNTY
AGRICULTURAL SOCIETY

Rockford, Ill. July 16th, 1875.

Hon. Jefferson Davis:
Gent:

I am desirous of securing your services as Speaker for our next exposition, Sept. 14th.

I will guarantee that you will be heard with pleasure, and that you will not regret a visit with us. We compensate our speakers liberally. I will give you $400. to give us one hours' talk on Sept. 16th, Thursday afternoon.

Let me know immediately,

Yours very truly,
(Signed) H. P. KIMBALL,
Sec'y.

D. H. Maury to Jefferson Davis.

(From Confederate Museum.)

Richmond, Va.
July 23, 1875.

Hon. Jefferson Davis,
My dear Mr. Davis.

I heard with great pleasure of your visit to Texas and the manly way in which they gave you an enthusiastic reception worthy of twelve years ago.

I wish I could believe the fearful rumour put forth by the Chronicle that you are to be sent to the Senate from Texas. For I believe that would be a cause of honest satisfaction to you were it practicable—I believe it is not because you are not a Citizen of Texas—and it would gratify a great many of our best people.

The other day I sent the enclosed to the Index and Appeal of Petersburg—a paper which has always been marked in upholding what is manly—

With my kindest regards to Mrs. Davis believe me with high respect your friend,

(Signed) DABNEY H. MAURY.

H. P. Kimball to Jefferson Davis.
(From Confederate Museum.)

WINNEBAGO COUNTY
AGRICULTURAL SOCIETY

Rockford, Ill. Aug. 1st, 1875.

Hon. Jefferson Davis,
Memphis, Tenn.

Having addressed an invitation to your Honor before, to deliver a brief talk to the Patrons of our Industrial Association, and not having received a reply, perhaps through miscarriage of the letter, I again write you, through our Board of Managers, soliciting your presence as a Guest during the week of September commencing with the 14th, to address us on the 16th of that month, guaranteeing you a grand ovation of 40,000 hearers, and a compensation of $500.

Will you please reply at once, and if possible accept the invitation so cordially extended.

(Signed) H. P. KIMBALL,
Sec'y.

Typist's Note:

On the envelope to this letter is written in ink, "Answered the 2 in one—because the first came when he was not well. The only mention of money in Mr. Davis' letter or rather the only allusion to offer of money was: 'I accept your offer on the terms proposed.'" This is in Mrs. Davis' handwriting.

Jefferson Davis to A. Dudley Mann.
(From New York Historical Society.)

Memphis Tenn
6th Aug 1875

Dearest Friend

There has been a long interval in our correspondence and I hope your silence has not been due to such causes as have produced mine. I have had much business annoyance and no little illness, but the main obstacle to my writing to you has been that feeling so depressed I have been unwilling to inflict my sadness on you. For some time it seemed probable that it would be my fortune to cross the Atlantic this summer and to have the pleasure of seeing you, but the prospect has receded as the season advanced and is now lost even to the far sight of hope. Since my trip through Texas, I have been to Vicksburg and to New Orleans, the rest of the Summer has been spent

here. Mrs. Davis suffers much from sudden attacks which for the time, say 15 or 30 minutes causes partial suffocation and is followed by intense pain in the head. Various opinions have been given as to the nature of the disease, one that it is nervousness resulting from long and severe excitement, another that it is functional disturbance of the heart, another that it is of the brain. She will not be persuaded to leave for the summer, insisting that change of climate would not do her as much good as the discomfort to be encountered would do her harm. God knows what would be best, and I only know that I am very anxious, and powerless at present to do that which she would prefer, viz., to go to England.

Col. Lubbock spoke often and most affectionately of you. He is living in Galveston, has lost the connection with the beef Co. and is I fear not prosperous. As is common among our people he is always looking to political occupation. You know the direful consequence of this, to the individual however advantageous it may be to the public. There is now a better prospect for the success of the Democrats than at any time since the war, but it is not that triumph of truth which we hoped for. It is rather the thrift that follows fawning, at least compounding with the murderers of the constitution as our Fathers made it. Much as I would rejoice to have you near me, I am glad that you cannot witness the general decadence among the people you knew in their earlier and better days. Please remember me most kindly to Marie & tell if she promised those mackerel under the belief that I would never come to claim the fulfilment of the promise that I hope she may (be) undeceived, and that I will never abandon the effort to return.

I have recently been asked to take the head place of the Missi Valley association and to remove the chief office to New Orleans. I have replied, if the London Members would make the needful arrangements, for compensation &c. &c. I would assume the duties. They have at last learned that the movement could not succeed under a London office. Mrs. Davis has come in and sends to you her warmest regard, and Maggie sends to you her best love. They will write to you and tell you of the news better than I could.

I have not been well lately and contemplate leaving for a short time for a cooler climate. Your health and comfort are to me ever a matter of solicitude. Please write to me fully. As ever with sincere esteem I am affectionately your friend

JEFFERSON DAVIS.

Hon. A. D. Mann.

A. H. Caperton, Jr.[1] *to Jefferson Davis.*
(From Confederate Museum.)

Scottsboro, Ala., Aug. 6th, 1875.

Hon. Jeff. Davis,
Memphis, Tenn.

Do you remember when you arrived at Stevenson, Ala. in Feb. 1861, going east and on your way to Montgomery, Ala., whether in the day or night time? I was then doing business in Stevenson and have no recollection of you ever making a speech at that place at any time. I think and am confident you did at one time thank the people of that place for calling upon you to make a speach, you as well as they knowing you had no time to address the people in a speach.

I have wrote to Capt. M. J. Ross there, and now Supt. of the road, to procure the time of arrival and departure of his passenger trains going east at that place. He informs me that he has not got them. If I had the time of arrival and Departure of the trains going east, I am satisfied that the Editor of the Omaha Star would be proven to be a positive lye, and I know at that time he was not admitted in respectable society and beneath the dignaty of any southern Gentleman. I knew him well and know this to be a fact, I think I can and know I can give you more information soon. I have wrote to one of his particular friends who was a confederate solder in regards to this matter, and will send you his letter when I hear from him.

As far as he being one of three selected to call upon you requesting you to make a speach for the people at Stevenson is a postive lye provable. I will give you all information I get to set aside this lye.

Yours truly,
(Signed) A. H. Caperton, Jr.

Dabney H. Maury to Jefferson Davis.
(From Confederate Memorial Hall.)

Richmond, May 10, 1875.

Hon. Jefferson Davis,

My Dear Mr. Davis,

I desire to have a simple record of my military history during the war between the States to transmit to my Children under your own signature. Will you do me the favor to sign the accompanying memorandum, which can be sustained by official records.

[1] Circuit clerk at Scottsboro.

The subject has been brought up to my mind by the necessity to present a Certificate of service in order to procure a badge of the Society of the Army of Northern Virginia.

I hope your health is restored and that Mrs. Davis and your Children are in all respects well and happy. There are many people in Virginia, and of the highest natures, who feel a deep interest in all that touches your wellbeing and happiness and I hope you will feel that none are more sincerely your friends than yours most respectfully and truly,

D. H. Maury.

endorsed:
Genl. D. H. Maury, for statement about his services; ansd. 3 Sept. 75

Memorandum accompanying letter of
Dabney H. Maury to Jefferson Davis,
May 10, 1875.

Dabney H. Maury was Capt. U. S. Army and Adjt. Gen. Depart. New Mexico 1861.

He resigned his Com. in the Federal Army on the secession of Va., made his way to Richmond, was appointed Col. of Cav. of the Va. forces July 20th (the day of his arrival in Richmond) and ordered by Gen. R. E. Lee to Gen. Joe E. Johnston, as Adjt. Gen. of the army at Manassas. Feb. 1862 was transferred to Trans-Miss. Department, as Adjt. Gen. of that Department. March 8th promoted Brig. Gen. after battle of Elkhorn.

May 1862 commanded Little's Brigade in affair at Farmington. Next day was assigned to command of first Div. "Army of the west."

Commanded that Div. in the operations against Grant at Iuka, and as rear guard of the Army, on its retreat from Iuka in September.

Octo. 4th and 5th commanded Maury's Division in the storming of Corinth.

Octo. 6th held the passage of the Hatchie, against Ord's forces, until our train and Army had effected a crossing, at another point.

Nov. and Dec. held the bridges over Tallehatchie against Grant's Army.

Nov. 1862 was promoted Maj. General.

Dec. 1862 reinforced with his Div. Gen. S. D. Lee at Chickasaw Bluffs and aided in Sherman's defeat there.

Commanded right wing of Con. Army at Vicksburg, until April 17th 1863, directing the operations against Sherman in the Deer Creek country and aiding Gen. Loring to drive Quimby's column from Fort Pemberton on Yazoo.

April 17th transferred to command of E. Tennessee.

May 1863 transferred to Com. Dep. of the Gulf.

Remained in command of that Dept. and sometimes of Dep's of Miss. and Ala. defeating invasion by Gen. A. J. Smith by Gen. J. Davidson and other invasions of less force, until March 25th 1865, when Gen. Canby moved against Mobile, with 3 Army Corps a heavy seige train, a large force of Cav. and a large Naval force.

The effective Con. force under Gen. Maury was about 7600 In. and Artill. and about 1500 Cav. defended Mobile and its outworks, against Canby's attacks, until the morning of April 12th, when Gen. Maury, pursuant to instructions, evacuated the City and retired upon Meridian with 4500 men, all who remained after the close of the battle of Mobile the last great battle of the war.

May 12th and 13th 1865 Gen. Maury and the Army of Mobile, now a Div. composed of Gibson's Louis. Brigade, Ector's Tex. Ark. and N. Carolina Brigades, Smith's Miss. Brig. of dismounted Artillerists, Slocum's Battl. Tobin's Battl. and —— Battl., were paroled prisoners of war the whole command, being to the last, in an efficient condition.

Thomas R. Franklin[1] *to Jefferson Davis.*

(From Confederate Museum.)

Houston, August 6, 1875.

My Dear Sir

Your favor of the 30th, came duly to hand. I went to see H. Cone. I found he had an Editorial written in which I made some alterations—one that a private letter had been written by you *long ago* on the same subject but the person receiving

[1] Thomas R. Franklin was born near Limerick, Ireland in 1840. He moved to Houston in 1859 and engaged in the mercantile business from that time until his death in 1901. He was a member of the Protestant Episcopal Church and took an active part in all civic affairs of the City during his life.

Although he was a British Subject and engaged in the mercantile business at the out-break of the Civil War he placed his business in the hands of his Father-in-law, T. B. J. Hadley, and enlisted in the Confederate Army and became a Major in DeBray's Texas Regiment. During the stirring times of Reconstruction he became naturalized, in order to help the citizens

it did not feel justified in using it—on reflection tho' I came to the conclusion that it would be only right to hear from Gen. Robertson before it *was published,* fearing He might have committed himself—so I wrote to him enclosing a copy of your Letter with *instructions* to read and return it and under no circumstances to allow it or its purport, to find their way into the Public Prints—He is a most estimable Gentleman but you are aware I distrust all Politicians—I this morning received his reply which in *accordance* with his *request* I *enclose* you—The Editorial appears tomorrow morning, it concludes with, In the words of the distinguished Gentleman it is enough (Glory) to feel that your people fellow sufferers in our common misfortunes, instead of blaming me with their disasters, are willing to share with me the Remnant of their Fortunes, without my accepting &c &c—I omitted the word "Glory" feeling why I cant exactly tell, it would read better in Print without it—

Mrs. Franklin and Mabel are both delighted at the prospect of seeing you Mrs. Davis and Winnie—Julia's eyes are much better than when you were here—our Ex Major Mr. Wilson who was a sort of intimate at your Father's House, in Natchez, I believe is a very large property owner in Texas and would like to consult with you before your settling down. He is a pure man and a Gentleman. You dont know how sorry I am that the recollections of your visit should be marred by this Newspaper business—but then it was only the desire of a grateful People so you must excuse them

Yours sincerely

(Signed) Thos. R. Franklin.

Hon. Jefferson Davis—

Dabney H. Maury to Jefferson Davis.

(From Confederate Memorial Hall.)

Richmond, Aug. 7, 1875.

My Dear Mr. Davis,

I have just read with a great deal of pleasure your very kind and interesting letter relative to your speeches and your war

wrest the local Government from the hands of the Carpetbaggers, and although he never held any office, always took an active interest in the politics of the County.

He was one of the organizers of the Texas Fair Association and was President in 1876.

President Jefferson Davis was a guest in his home in Houston in 1876 for the period of a week and continued to correspond with him up to the time of Mr. Davis' death, giving an autograph copy of the "Rise and Fall of the Confederacy."

policy. Nothing is more firmly established than your humane disposition in all matters, and especially was it evinced in your war policy. I have always remembered a reply imputed to you when some of our people were urging you to "raise the black flag." You said "if we were to do so, it would be to our own disadvantage, for the enemy would avail himself of it to murder the prisoners taken from us, while our Confederate soldiers could not murder prisoners asking for quarter."

I have put your letter away to preserve for my boy with some others I have received from you.

While you were last in Texas I sent out to you a certificate of my rank and services which I desired to have signed by your hand as an heirloom. I have been told that Gen. Hood applied for me to command one of his Corps, and to be made Lieut. Gen. when he was about to march into Tennessee, do you remember that it was so?

Gen. Dick Taylor told me just before I was attacked at Mobile that it was your intention to promote me to Lieut. General and commander of the Department of Miss. and Alabama. I have always felt it would be a valuable testimonial to transmit to my Children if *you* can tell me that my services had seemed to you to warrant such promotion. I know you will appreciate my feelings in this matter.

Please present my kindest respects to Mrs. Davis and believe me always with high respect.

Yours

endorsed: DABNEY H. MAURY.
Genl. D. H. Maury; ansd. 3 Sept. '75.

J. B. Robertson to Jefferson Davis.

(From Confederate Museum.)

Austin, Aug. 8th 1875.

Hon. Jefferson Davis.
Memphis
My dear Sir,

Your favor with its enclosure of the 13th July I found on my table on my return here 8 days since after an absence of three weeks 10 days of which was spent at the bed side of a much loved nephew that we raised and whose endearment to me was but second to my children. This will explain the reason of my not answering more promptly. After consultation with

one single friend I concluded to send your letter to the news and with it a letter fully explaining all the matters connected with the movement to assist in getting a home for yourself and family. The letter of Richardson Belo & Co. to you was both in bad taste and out of place and they ought to have known that you neither had knowledge of nor given authority for such a movement. I presume that on reading my explanation that they let the matter drop as I have not seen anything in their paper about it.

I am under many obligations for the care you took to prevent any injurious committal of myself in the matter but I had and have not either directly or indirectly committed you to any one. In the matter of a homestead for you, we did have a movement on foot to assist in getting a home for you or rather in providing the means for that purpose, and if it had not been for the zeal of some of your real and true friends at Marshal no intimation of our movements would ever have reached the public through the press or otherwise, but this public move was an error in judgment for which the broadest charity should be shown. The article in the Houston Telegraph of yesterday a copy of which will be sent you will be sufficient I think to set the matter right. I wrote our mutual friend Mr. Franklin fully a few days since and asked him to enclose my letter to you after he had read it. I did this in order that you might fully understand me. I deem it proper to state that the plan we were persuing and which we have not abandoned was to raise a fund upon such a plan that no one person would contribute enough to impose under any possible view any sort of obligation on the receiver and done strictly private the fund when raised to be placed in Bank subject to the order of the receiver with no sort of conditions attached. I make this statement confidentially and do not expect any answer to or notice of it from you, but you may rest assured my dear sir that in no event will you be committed by to any matter contrary to what I know to be your feelings and sentiments on this as well as all other matter about which I may be called on to act or express an opinion.

Hoping that this matter that I fear has caused you some annoyance is now put on a footing that will be satisfactory to you and that your business will prosper to your satisfaction and that we shall have the pleasure of a visit from you and Mrs. Davis this fall Will you please present me most cordially to Mrs. Davis and the children.

I go tomorrow to visit my son and his family whom I have

not seen for nearly a year and shall take great pleasure in presenting the kind messages of yourself and Mrs. Davis to him.

I send you a pamphlet with map that I have recently gotten up discriptive of our state. Our constitutional convention meets 1st of Sept. and I hope some more liberal provision will be made for the encouragement of Immigrants. I had to use inferior paper and small type to bring the pamphlet within my postage fund. With the hope that you will not fail to command me if I can at any time serve you and many wishes for the health prosperity and happiness of yourself and family, I am very truly your friend and obt servt

(Signed) J. B. Robertson.

H. P. Kimball to Jefferson Davis.

(From Confederate Museum.)

WINNEBAGO COUNTY
AGRICULTURAL SOCIETY

Rockford, Ill. Aug. 9, 1875.

Hon. Jefferson Davis.
Gent:

Your letter of acceptance is received. The society sends you its congratulations.

In regard to speaking on the 15th, I would say that it will make a great difference to us, and if you *honorably and possibly* speak in Columbus on the 18th, we shall be every way satisfied.

Our Fair opens on the 14th—this day and the 15th also are days of Entries and arrangement and as our fair continues only 4 days, Thursday the 16th is always our Orators' day. The fair at Columbus continues five days and you could easily arrive there to speak in the forenoon or afternoon of the 18th. Could you come to us on our last day we should like it as well—*but as you cannot,* we urgently request that you will notify the friends at Columbus that you will be there the last of their Exhibition, and so honor us with your visitation on *Thursday the 16th.* We offer you the largest remuneration by $400. that was ever paid such speakers as Matt Carpenter, Schurz, Beveridge, Storrs, Collier and others, because we are aware that should you speak on Thursday, when our Exposition was in its meridian splendor, we shall get it all back—and another deeper significance underlies our engagement with you—we sincerely wish

to show the country and the world our purpose and determination to re-instate talent and Statesmanship, wherever recognized and smother forever prejudice and animosity, that are now, ever and anon, rekindled for Political ends.

Please write me what you can accomplish to be here on Thursday, soon as possible, that I may incorporate your acceptance in the publications of our Society.

We accept your engagement and trust to an over ruling Providence, to bless you with health and continued prosperity.

Yours very truly,
(Signed) H. P. KIMBALL,
Sec'y.

Copy of clipping enclosed follows:

To the Editor of the Chicago Tribune:
Rockford, Ill., Sept. 23.—Experience has taught me that it is a hazardous venture to offer explanations or corrections to an influential journal; but a sense of justice and honor impels me, relying on your fairness and magnanimity, to vindicate our board of officers and the venerable ex-President (Jefferson Davis) from the contemptuous charge of chaffering over the terms of their contract.

My attention has been directed to a late article (whether an editorial or dispatch I cannot determine) published in the columns of the *Tribune*, in which the following very unjust misrepresentations occur:

"It seems that there was a little difference of opinion between the high contracting parties as to the value of a lecture from the ex-President of the Confederacy. Mr. Davis demanded $500. The directors begged him to knock off something for the sake of the cause, and to seal the era of reconciliation for $400. He refused. Then they offered $450. Still he refused. He stood by his original stipulation; and, as the board was particularly zealous in the matter, all the members but one being Democrats or "Independents," the $500. basis was finally agreed upon."

Permit me, Mr. Editor, in vindication of outraged truth and innocence, to give an emphatic denial to every statement of this communication. The entire text of my correspondence with Mr. Davis has been published to the world. In my communication to him I expressed myself as follows:

"I write you through our Board of Managers soliciting your presence as a guest during the week of September commencing

with the 14th, to address us on the 16th of that month, guaranteeing you a grand ovation of 40,000 hearers and a compensation of $500. Will you please reply at once, and, if possible accept the invitation so cordially extended?"

Mr. Davis replied: "I accept your offer on terms proposed." In no letter received from that distinguished gentleman has there been a single reference to or stipulation for any amount he was to receive. The malice and malevolence of this infamous charge, in my humble opinion, is but the fruitage of that revengeful and unforgiving spirit that fosters sectional bitterness, and makes opportunities for the exemplification of tyranny and hate. The obloquy hurled at our honorable Board of Directors in the statement that "they begged" their distinguished orator "to knock off something for the sake of the cause of reconciliation," I disdainfully fling aside, as it is couched in a falsehood so petty and mean that intelligent readers will recognize its weakness and maliciousness at a glance. In my first letter to the distinguished ex-President I proposed terms of $400.—the pecuniary part of the contract being left entirely with myself. One of our directors, learning the offer I had made, chided me for want of liberality, saying: "The society had better increase the amount largely." I immediately wrote the ex-President again, before receiving a reply to my first invitation, making my offer $500. I believe the magnanimity and honor of that great statesman towers as high above the petty meaness of haggling and chaffering as Mont Blanc towers above the plains of Piedmont. Whatever mistakes and errors may be attributed to him in his great and eventful life, his character and fame remain yet unsullied by a single act of cowardice or by a single stain of stock-jobbing avarice.

Permit me, in your generosity, to refer to another paragraph in this unkind communication, which reads thus:

"Now it is said the Southern farmers are seeking to continue the unpleasantness by withdrawing their patronage from the Rockford manufacturers, who deal largely in agricultural implements."

Had it not been for the wicked and unauthoritative telegram sent to the Inter-Ocean, that our manufacturers had formed a league and given pledges that they would not contribute the products of their workshops to the exposition if Mr. Davis should speak to our patrons, a large part of the bitterness and animosity resulting from our incitation would have been fore-

stalled. No such combination and no such pledges were ever made. Mr. N. C. Thompson, Ralph Emerson & Co., Enoch & Doty—our heaviest manufacturers—have informed me that no such agreement was contemplated or adopted. It was a fiction of the reporter, whose only interpretation of the act is that the phraseology of his dispatch was changed after it reached Chicago. As a further illustration: A dispatch was published in the Chicago papers of Friday last, sent from Rockford, stating that our distinguished orator, David Ward Wood, Esq., in his most acceptable address and private interviews, took the opportunity to express his dissent or disapprobation from our course in the invitation to Mr. Davis. Mr. Wood sends me a communication emphatically denying "that any such interview as that reported in the *Tribune* ever took place." This denial is published in the Rockford papers. To refute these sneering falsehoods, and shield the fair character of misrepresented individuals from vile aspersions, striking out from the dark, like the daggers of midnight assassins, to injure and kill, I feel that it is a solemn duty I owe to our managers, to Mr. Davis and his personal friends at Memphis to make this candid and honest statement of the facts in the case.

(Signed) H. P. KIMBALL,
Sec'y Winnebago County Agricultural Society.

H. P. Kimball to Jefferson Davis.
(From Confederate Museum.)

WINNEBAGO COUNTY
AGRICULTURAL SOCIETY

Rockford, Ill. Aug. 11, 1875.

Hon. Jefferson Davis,
Memphis, Tenn.

Gent:

The announcement of our engagement with you to address the Winnebago County Industrial Association, has created such wholly unexpected opposition, among our citizens, composed almost wholly of members of the Grand Army, arousing them to the expression of the most bitter remonstrances and most unfriendly threats, that for your own peace and honor, as well as for the preservation and integrity of our own Society, I deem it prudent to cancel the engagement.

I would not have you come as our Society's Guest and have one word dropped to wound your sensibilities or to insult your

honor. The towns in our County are holding indignation meetings and passing resolutions embodying their resentment.

Had I even suspected this, I never would placed your honor under such embarrassment to find some "unforeseen cause" why you could not fulfill the engagement.

Our best men among us approved of your coming. They felt that the North should extend to the leader of the South, the same courtesies and hospitalities that the South has proffered the leaders of the North.

The time is coming when these bitter jealousies and prejudices must cease, and free speech and free transit must be accorded to every citizen of our Republic.

In view then, my honored Sir, of the insuperable obstacles that block our pathway, in regard to welcoming you as a great leader should be welcomed, without your incurring severe opposition and bitter personal abuse, I hope you will find some method, to excuse yourself, without incurring humiliation or censure for such a course.

I *would not intimate* that you do not fulfil your engagement on account of the unfriendly proceedings, but I would decline in a statesmanlike manner, regretting that unexpected change in your business affairs have compelled your decline, and in a friendly, and chivalric manner, pay a high tribute to the thrift and progress of our great Northwest.

Such a letter carefully worded and expressing your deep interest in our prosperity will touch the heart of the North and thrill the Native with generous impulses.

This, my kind Sir, is a Golden Opportunity, and I pray that I may hear from you soon, sentiments worthy of your eminent abilities and distinguished Career.

Yours very truly,
(Signed) H. P. KIMBALL,
Sec'y.

Jefferson Davis to H. P. Kimball.

(From Confederate Museum.)

Memphis, Tenn.
11th Aug. 1875.

Hy. P. Kimball,
Sec., Winnebago Co. Agri. Soc.,
Rockford, Ills.
Dear Sir:

I yesterday sent to you a telegram announcing my revocation of the conditional acceptance of the invitation to address your

association at their annual meeting in Sept. next. The long period which has elapsed since the receipt of your first letter, and the considerate courtesy which has marked your correspondence, make it a duty to the Board and to myself, that a sufficient explanation should be given of this change of purpose. Three objects mainly induced me to accept the invitation, first the hope that personal intercourse might remove some of the prejudices which have been generated by partizan fictions and nurtured by individual and sectional hate. Anxious now as in former years to promote the interest of our great Valley of the Mississippi and believing that with mutual confidence and intelligence much could be done for their advancement, I only delayed my acceptance of your invitation until it became reasonably probable that it could be met.

The productive capacity of the Northwest needs for its development cheaper and safer transportation to the markets of the Southwest and also to those of foreign countries. In England especially earnest attention has been directed for several years past, to a more direct and economical trade with the Mississippi Valley.

In this connection there was a desire to confer with the Patrons of husbandry in your rich and prosperous section. To discuss with them the questions involved in securing better means of transporting your farm products to the most favorable markets and of providing agencies which should insure larger returns to the producer; and by such conference to learn the views of one member of the family of the Missi. Valley. A family, the chief interest of all the members of which is agriculture; but cultivators of such various crops as to make the trade among themselves extensive and lucrative, while it stamps upon each and all the same interest and the same policy as to their foreign trade. To render such a conferrence effectual there must needs be a disposition to attend to the subject under consideration, surely not a purpose to smother it by the interposition of matter having no just relation to it.

The second object was to recognize the courtesy of your Board and I was encouraged to believe that your reception of me would be beneficial rather than injurious to your Association. This was the more supposible because several other Agricultural Societies of Ilinois had in like manner invited me to address their annual meetings. Yesterday I received a printed paper, being the protest of a number of your fellow committee men against the action of your Board in their invitation to me

to make the annual address at the county meeting. Thereupon I sent to you the Telegram withdrawing my acceptance of the invitation under the conviction that it would not be useful or agreeable to participate in the meeting, and I now hope that neither your association nor the Directors will suffer harm by the delay in procuring an Orator, or by the correspondence which has caused it.

The third object was to gratify a wish long entertained to see in its cultivated dress a country known by me as a trackless wilderness; but that being merely a personal gratification it may be indulged at my convenience or postponed indefinitely. I can well believe that the cause which has changed my purpose was as unforeseen by you as by me, and you may be assured that I feel no disatisfaction towards the Directors or yourself and have suffered no personal "embarrassment from the event.

As the invitation was unexpected and only acceptable as the expression of general good will, so my only regret is the loss of opportunity to promote a public interest with which the welfare of your community is indentified.

Again expressing the hope that neither the Directors nor yourself may suffer injury or annoyance, and thanking you for the kindness and consideration you have manifested, I am,

Respectfully yours,
(Signed) JEFFERSON DAVIS.

G. B. Jennings to Jefferson Davis.

(From Confederate Museum.)

Louisiana, Pike Co., Mo.
11th August, 1875.

Hon. Jefferson Davis,
Sir:

Yours of 9th enclosing slip from Baltimore Sun and one from Jackson, Miss. Clarion is received. Please accept my thanks.

Permit me to hope that you will see fit to give to the world an autobiography of yourself.

I think I express the sentiment of a no small number of men when I say that a book from your hands would meet with a heartier reception than one from anyone else, and would fill a vacancy none other can fill.

Very Respectfully Yours,
(Signed) G. B. JENNINGS.

W. M. Green[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Sewanee, Tenn., Augst. 14, 1875.

Hon. Jeff. Davis,

My Dear Sir—

Lest the enclosed slip, cut from the N. York "Tribune" of the 3d inst. may have escaped your notice, I send it to you, in order that you may, if you think proper, make a denial of its lying statements.[2] I remember well the particulars of your capture

[1] Bishop William Mercer Green.

[2] To the Editor of the Detroit Tribune:

In your issue of the 22d appears a letter written "by a gallant friend, who was present and kept a memorandum," to the Clark County (Ky.) Democrat, "at its solicitation," denying that Jeff. Davis was, when captured, May 10, 1865, dressed in female apparel.

So much has been said on this subject, affirming and denying the fact, that it seems to me to be a waste of time to say more. It seems almost farcical to attempt to make unbelievers acknowledge the fact as it exists. It certainly is all gall and wormwood to his friends to think that "President of the Confederacy" should so terminate the struggle that cost so much treasure and blood; otherwise they would let poor Jeff rest, now that ten years have elapsed since the memorable morning. I have studiously avoided getting into any newspaper controversy regarding the Davis capture, from the fact that Col. Pritchard's official report covers all the details of the capture coming under his observation, and for all military and historical purposes is sufficient. I am, however, in possession of some facts that have never been published, and by the advice of many friends, have decided to give them to you for publication in the form of a reply to "a gallant friend who was present and kept a memorandum."

To come, then, directly to the point—was Davis dressed in female attire?

Without reiterating the long and tedious march, the point of attack, the obstacles encountered, and the many incidents connected therewith, I will say that, although I led the charge and was the first man in the camp, I was not the first to see our distinguished captive, nor did I see him in his disguise at all. Several claim that honor, and I have no doubt all speak the truth. On our way back to Macon, however, Mrs. Davis told me—and I will use her own words—"I put my waterproof cloak and shawl on Mr. Davis upon the impulse of the moment, not knowing or having time to think what else to do, in hopes he might make his escape in that disguise; and I only did what any true woman might have done under similar circumstances."

This was told me by Mrs. Davis, in the course of conversation on our way back to Macon, while halting to feed and rest our horses, she being in the ambulance at the time. Therefore, although I did not see Mr. Davis in the disguise of a woman, I had Mrs. Davis' word that she did so disguise him that he might make his escape.

If further proof is wanting, let me add that upon our arrival at Fortress Monroe with out prisoners, (for we had seven notables,) acting under orders of the Secretary of War I was sent on board of the Clyde, then lying in Hampton Roads, to get the shawl (the waterproof having been obtained the day previous by Col. Pritchard) worn by Davis at the time of his capture. Upon making known my business to Mrs. Davis, she and

which you gave me, when I visited you in your prison. They differ so widely from what is stated by that man "Hudson", that I would be glad to have the true story from your own *pen*, with the privilege of using it as my affection for you, and my regard for your reputation may dictate. Pardon me, if in what I am now doing, I appear to break in, unnecessarily on the repose so much needed by both your body and mind. I could almost wish that my sympathy with you was less than it is; inasmuch as I can not control my feelings when your reputation is, in any point, assailed.

I beg to repeat,—that any statement which you may be pleased to make to me shall be used no further than you shall direct. If you think proper to make no such statement, I will try to rest satisfied with the hope that you will somewhere *record* it, for the satisfaction of other friends and admirers, when I am gone. Very truly and affectionately,

Your Friend,
W. M. Green.

P. S. As that lying statement brings Mrs. Davis too upon the stage, I would consider any thing written by you, as having her endorsement also. W. M. G.

Endorsed: Bishop Green about lying Hudson, slip enclosed. ansd. 18th Aug. '75. *Capture.*

Mrs. Clement C. Clay, particularly the latter, flew into a towering rage, and Mrs. Clay, stamping her foot on the deck of the vessel, advised Mrs. Davis to "shed her blood before submitting to further outrage." After telling Mrs. Davis that my orders were imperative, and that she had better submit gracefully to my demands, she became pacified, and said she "had no other wrappings to protect her from the inclemency of the weather." I then told her I would go ashore and buy her a shawl, which I did, paying $6 for it.

Upon presenting it to her, she held it up, and with scorn and contempt, turned to Mrs. Clay and exclaimed: "A common nigger's shawl." She then handed me two shawls, very similar in appearance, and told me to take my choice, adding that she did dress Mr. Davis in her attire, and would not deny it, at the same time expressing great surprise that the Secretary of War should want her clothing to exhibit, as if she had not been sufficiently humiliated.

Having been as explicit as space will permit, and as I believe the exigency of the case demands, I submit this for the consolation of "a gallant friend who was present and kept a memorandum," advising him, bitter as the pill may be, to swallow it and make no more wry faces, for, in addition to my being willing to make affidavit to all this, word for word, there are three or four living in this State who actually saw Jefferson Davis in the disguise of a woman with a tin pail on her (his) arm, supported on one side by a "nigger" woman, going for water.

I am, very respectfully, your obedient servant,

Charles Y. Hudson,
Late Captain of Fourth Michigan Cavalry.

Detroit, Mich., Saturday, July 24, 1875.

Jefferson Davis to W. M. Green.

(From Mississippi Department of Archives and History.)

Memphis, Tenn,
18th Aug. 1875.

Rt. Revd. W. M. Green,

My dear Bishop and Friend,

Please accept my sincere thanks for your kind letter of the 14th inst., and for the slip inclosed which had not and as you supposed probably would not have been seen by me. The writer is remembered as a drunken thief distinguished even among his fellows for both vices. His story of conversations with my Wife are false and to any one who ever knew her must appear absurd. Even a weaker woman would not have entered into explanations of her conduct to a subaltern of the guard, and he a man whose conduct had necessarily created a feeling of contemptuous disgust. He did ask Mrs. Davis to let him take a little negro orphan who she had in pity rescued from the ill treatment of a negro woman in Richmond who claimed that the boy's mother had left him to her. This application Mrs. Davis refused not considering Hudson worthy of trust. We afterwards heard of his threatening to take the boy when we reached Fortress Monroe, and to save the child from such a fate, when we were at the harbor of Port Royal, he was sent with a note to Genl. Saxton who we learned was at that station, and who we considered a man on whose integrity and humanity we could rely. He was an officer of the Regular Army, and I had known him before the War. Hudson stated that he was not the first to see me. My first view of him was when Secty. Reagan pointed him out to me as the man who had stolen his saddlebags. This was perhaps an hour after our capture. Enclosed I send to you a slip cut from a newspaper, and which is the statement of one unknown by me, but who is shown by his published letter to have integrity and truth, and who after branding the story, that I was captured in the disguise of a woman's clothes, as a *lie*, he in forgetfulness of Hudson assumes that no officer or soldier can be found who will testify so falsely. You no doubt observed that want of coherence in Hudson's story which usually attends falsehood. He says I was dressed in female attire, and that Mrs. Davis in her own justification told him "she did dress Mr. Davis in her attire and would not deny it." But that attire appears by his own statement to have been a waterproof cloak and a shawl; now where is the hoop skirt and the petticoat and the sun-bonnet, which has

been the staple of so many malignant diatribes and pictorials. This Hudson did go to the transport ship in Hampton Roads where my wife and children were detained after my removal to the Fort, and he and others with him broke open my Wife's trunks and pillaged from them articles of her clothing and the clothing of her children, also various little articles, such a an Album of Family and Friends photographic likenesses which has been recently found by a friend of mine in Iowa, the possessor to enhance its value having stated where and when it was procured; also a medal, a photograph of which was sent to me through the mail from New York with a modest request for its history. Among the articles of female attire stolen when my Wife's trunks were pillaged, first at the Camp and afterwards on the ship, there may have been all of those since paraded as worn by me for purpose of disguise. I had no trunk there, had gone on horse-back to protect my Wife and children from robbers who it was reported were in pursuit of them; and thus was diverted from the course I was pursuing to join the army in the South West. Having travelled with my family for several days and seen them as was supposed beyond danger, I had notified my little party consisting of a Secty. three staff officers, four soldiers and a servant, that after my family and the paroled soldiers who had volunteered to escort them, had gone into camp for the night, we would leave them and resume our route to the west; but just at night fall Col. Johnston of my staff came to me with the information that he had heard in the village near by, that a party of robbers were to attack the camp that night. My horse was saddled to start and my pistols were in their holsters, but I countermanded the order to leave and remained to protect my Wife and young children. A short time before day I went to sleep in my travelling dress, grey frock coat and trousers, the latter worn inside of heavy cavalry boots, on which remained a pair of conspicuous brass spurs of unusual size. In the grey of the morning my coachman who had remained faithful, came to my Wife's tent and aroused me with the announcement that there was "firing over the creek." I stepped out and by the dim light saw cavalry deployed around our camp, then turning back told my Wife that we were surrounded by the enemy's cavalry. She entreated me to leave, and to a waterproof "Raglan" which I threw over my shoulders as I stepped out of the tent, she followed and put on me one of her shawls. The waterproof was afterwards found to be her's but it was so like my own there being little light in the tent and every thing in confusion within it that it was taken by mistake. She told the

servant woman to follow me to the stream near by and bring a bucket of water. The coachman had been previously directed to take my horse to a fringe of wood skirting the stream towards which I was going. I had gone but a short distance when I was ordered to surrender, and I replied "I will never surrender to a band of thieves," the man dropped his carbine on me as I approached him, simultaneously throwing off the cloak and shawl. My intent was not executed, it is therefore needless to state it. Just then my Wife who had been intently watching, ran up behind me and threw her arms round me. There was nothing to be attempted. The soldier showed then no disposition to fire. I said to my Wife, "God's will be done", and we turned back to her tent. I then walked on to a fire in rear of it and sat down. After a short time, say half an hour, a man came round to get the names of the captives, he did not or at least seemed not to know who I was and after the Indian custom I left him to find that out from some body else. Col. Pritchard the comdg. officer subsequently told me that he did not learn for three hours after the capture of the camp that I was present. He also claimed credit for the forbearance shown by the men in not shooting me when I refused to surrender. The "firing over the creek" was between the two regts. of the enemy's Brigade and we remained for some time waiting for the burial of those killed. There is an irrepressible conflict between this Hudson and truth, so he claims to have led the charge as though a camp of say twenty persons nearly all of them non combatants, and by whom not one shot was fired could be the object of a *charge by a Brigade of cavalry.* I hope to make the record you suggest, but not in it to notice the drunkard, thief, liar, whose statement has found place in the newspapers. The truth has been told many times by men who were with me, and published in all parts of the country, but for political ends the "lie" continues to be circulated and tests the adage that when well stuck to it is as good as the truth. As ever I am faithfully Your friend,

JEFFERSON DAVIS.

P.S. I have tried in the interest of the South to avoid all controversy which might embarrass our political friends, and though I feel as you expected in regard to this new version of the scandal, I am not willing now to notice it, or ever to stoop to the level of the vile wretch Hudson. To you I could not be silent when you willed it otherwise, but must ask you not to permit this letter to be published. Please return the newspaper slips, as they have been preserved for future use. J. D.

J. V. Admire[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

J.V.Admire, P.M. POST OFFICE
North Topeka, Kansas, Aug. 20, 1875.

Hon. Jefferson Davis,
Memphis, Tenn.

Dear Sir:

I was a "Union soldier" during the late war and was in active service from the date of my enlistment until the surrender of Genl. Joseph E. Johnson, a full period of three years. I was a republican before the war, during the war since the war and am still one. I have met the Confederates upon a great many battle-fields and always found them to come fully up to the standard of American soldiers.

My purpose in writing this, is to say that, so far as I have been able to see; those who endured the hardships and encountered the dangers of our unfortunate war would be glad to bury the animosities that culminated in that sanguinary struggle so deep that Gabriel's trumpet will not disturb them.

The sentiments that dictated your acceptance of the invitation to deliver an address at the Winnebago country agricultural fair are noble and generous. Those who were seriously displeased, forty nine times in fifty, are political prostitutes, who thrive upon a popular frenzy toward which they contribute with as much zeal as they manifested in keeping out of all danger during the war. While the Union soldiers were honest in their views, and mainly in their maintenance of them, we *know* that those who entertained different views and who so gallantly struggled to maintain them, in the face of the greatest discouragements and hardships, were as equally honest. We hope the day is not distant when all attempts to foster this bitterness, no matter from what quarter, will be frowned down by the natural instincts of a generous people.

Very truly,
J. V. Admire.
Late Capt. 65th Ind. Vol. Infy.

P.S. I would prize your autograph acknowledgement of this letter beyond price.

endorsed:
J.V.Admire; Fed. soldier friendly.

[1] Union soldier, born in Indiana 1842, lawyer and editor of Topeka and Osage City; died 1911 at Enid, Okla.

W. M. Green to Jefferson Davis.

(From Confederate Museum.)

Sewanee, Tennessee.
Aug. 25, 1875.

Hon. Jefferson Davis,
My dear Friend:

I truly thank you for your long and satisfactory letter of the 18th; and I would feel ashamed of having drawn so largely on your time, if I had not felt an irripressible desire to have it in my power to nail that miserable falsehood to the counter.[1]

[1] The Portland *Argus* publishes the following:

I am no admirer of Jeff. Davis; I am a Yankee, born between Saccarappa and Gorham Corner, am full of Yankee prejudices, but I think it wicked to lie even about him, or for that matter, about the devil.

I was with the party that captured Jeff. Davis—saw the whole transaction from its beginning. I now say, and hope you will publish it, that Jeff. Davis did not have on at the time he was taken any garment such as is worn by women. He did have over his shoulders a water-proof article of clothing. Something like a "Havelock." It was not in the least concealed. He wore a hat, and did not carry a pail of water on his head, nor carry pail, bucket or kettle in anyway.

To the best of my recollection, he carried nothing whatever, in his hands. His wife did not tell any person that her husband might hurt somebody if he got exasperated. She behaved like a lady, and he as a gentleman, though manifestly he was chagrined at being taken into custody. Our soldiers behaved like gentlemen as they were, and our officers like honorable, brave men; and the foolish stories that went the newspaper rounds of the day telling how wolfishly he deported himself, were all false. I know what I am writing about. I saw Jefferson Davis many times while he was staying in Portland several years ago, and think I was the first one who recognized him at the time of his arrest.

When it was known that he was certainly taken, some newspaper correspondent—I knew his name at the time—fabricated the story about the disguise in an old woman's dress. I heard the whole matter talked over as a good joke, and the officers, who knew better, never took the trouble to deny it. Perhaps they thought the Confederate President deserved all the contempt that could be put upon him. I think so too, only I would never perpetrate a falsehood that by any means would become history.

And further, I would never slander a woman who has shown so much devotion as Mrs. Davis has to her husband, no matter how wicked he is or may have been.

I defy any person to find a single officer or soldier who was present at the capture of Jeff. Davis, who will say, upon honor, that he was disguised in woman's clothes, or that his wife acted in any way unlady-like or undignified on that occasion. I go for trying him for his crimes, and if he is found guilty punishing him. But I would not lie about him when the truth will certainly make it bad enough. JAMES H. PARKER.

Eilburnville, Pa., May 9th, 1867.

Jeff Davis—His Disguise and His Designs.

A paragraph quoted in these columns a few days since, concerning the feminine disguise of JEFF DAVIS at the time of his capture, has procured

I shall prize that letter *greatly;* and leave it as a legacy to one of my children; the one that I shall think comes nearest to

us the pleasure of a visit from a Southern gentleman who struggled for the "lost cause," and was not far away at the moment its great chieftain fell into the hands of his ruthless pursuers. We have no doubt that our visitor—whose name we withhold at his request—gave us a true version of the affair as he understood it, and that he had an excellent opportunity of knowing the facts. We therefore avail ourselves of his testimony in making a brief recital of the circumstances.

Although LEE and JOHNSTON had surrendered at the date in question, a considerable Confederate force still held out beyond the Mississippi River, and professed a stern determination to adhere to the "last ditch" policy. DAVIS resolved to throw himself into the arms of this gallant remnant of his supporters, and was hastening to their embrace with all available speed. When the Yankee cavalry got fairly on his track it required brisk motion on their part to overtake him. But he waked one morning to find the enemy close upon him. Not knowing how completely he was surrounded, he still hoped to escape on foot, by making for the woods. His family were with him in his tent. As it was raining, and he was suffering from neuralgia, Mrs. Davis wrapped her water-proof cloak around him for protection from the weather; and as he emerged from the tent, she also threw her shawl over his shoulders. This was the sum of his feminine wardrobe. The hoop-skirt and bonnet, which were wont to figure in caricatures and to afford mirth for the audiences at Barnum's Museum, really formed no part of his costume on that eventful morning, as our informant assures us, and as we verily believe.

Times & Chronicle, Cinn. Ohio. June 27, 1871.

THE CONFEDERATE PRESIDENT'S DISGUISE.

(Communication to the New York Tribune.)

I recently saw in a Western paper a letter from Captain Charles T. Hudson, formerly commanding the Fourth Michigan cavlary, in which he quoted Mrs. Davis' words, spoken soon after the capture of the President of the Southern Confederacy, as follows:

I put my water-proof cloak and shawl on Mr. Davis upon the impulse of the moment, not knowing or having time to think what else to do, in hopes he might make his escape in that disguise; and only did what any true woman might have done under similar circumstances.

During a visit to Mobile last autumn I dined with a gentleman who had for many years been an intimate friend of Mr. Davis, and who was still in correspondence with him. This gentleman called my attention to a passage in the article "Jefferson Davis," in the new edition of Appleton's Cyclopedia, which he thought was unjust to Mr. Davis. It was as follows:

At the moment of his arrest he had on his wife's cloak, and with an empty bucket in his hand was seeking to escape under the pretense of being a woman going for water to a neighboring spring.

My friend had, in a letter, called Mr. Davis' attention to this passage, and he showed me his reply. As nearly as I can remember, after some remark about an exploded fiction, Mr. Davis said that he inclosed a photograph representing himself exactly as he was dressed at his capture, with the exception of a pair of spurs and a waterproof cloak. The photograph represented him as dressed in cavalry boots, with his pantaloons inside of them, and a long sack coat and holding in his hand a slouched hat. I don't know that this helps to settle the controversy, but it may be interesting as Mr. Davis' own statement. Z. L. W.

Washington, D. C., Aug. 5, 1875.

his father, in regard for you. The photograph also, I shall preserve as a companion to it.

I honor that truthful, out-spoken, full-blooded Yankee, "Parker", as much as I despise the lying "Hudson"; and would cheerfully go ten miles out of my way to shake hands with him. My feelings are the same towards Gen. Burton, and Dr. Craven, whom I would be glad to meet, before my pilgrimage is at an end.

I return those slips as you desire; and with renewed thanks for your letter. Present me kindly to Mrs. Davis and your children; and believe me, with warm regards,

Yours, truly and affectionately,
(Signed) W. M. Green.

P.S. I send, along with this, an invitation which I sincerely hope, and beg that you will accept. Bishop Gregg is sitting by me; and begs me to tender you his regards, together with his hope to meet you here in August next.

University of the South.
Aug. 25, 1875.

Hon. Jefferson Davis.
Dear Sir:

At the late meeting of our Board of Trustees, a Committee, of Bishops, Clergymen, and Laymen, was appointed to select an Orator for our Commencement in August next.

When I tell you that your name was the first that was proposed in the Committe and that it was our unanimous and hearty wish that you would accept the invitation, I can not but hope that you will give it a favorable consideration.

Yours truly,
(Signed) W. M. Green,
Chairman, and Chancellor of the University.

Virginia Ritchie to Jefferson Davis.

(From Confederate Memorial Hall.)

Brandon (Va.) Aug. 27th '75.

"It never rains but it pours" it seems, dear Mr. Davis, especially in these days of floods, as here goes another missive to you, in such quick succession upon my last; the occasion of which being the enclosed sheet which was a portion of a letter I received yesterday from Mrs. McCrabb, which I think best

to send to you just as it is. I do not know whether you recollect on one of your visits to Baltimore, my taking two of Gen. Andrew Humphrey's sisters to see you, at Barnum's Hotel, but this Mrs. McCrabb was one of them. She vies with her brother in silent admiration for yourself, as you can see from the enclosed, and she can speak better for herself than I can, so I run the risk of braving her anger by sending you this hastily written extract which will explain itself. She is one of (the) most interesting, charming and intelligent women I know, with the strongest feelings, and one of those persons who cannot brook an injustice to one who has won her good opinion and confidence, so you can see what her wish is about this whole matter. Merely to let you know that such a false impression has been taken up about your course, so that she may be able to state, that she has it from *you personally that she is right in her assertion,* by your disavowal of this statement. You little know the romantic and tender feelings that her brother Andrew has felt for you, as you may not for years had any personal demonstration of his regard and affection, but through her, I have heard of many things which would gratify you I know extremely, in all of which she more than sympathises. I know you will not misunderstand this informal way of proceeding about this matter, but know that we two women are actuated by the same desire to aid in a very humble degree the common acts of justice to one whom we both love and revere. You feel enough at home with me I am sure to give me a good scolding if I have transgressed the bounds of propriety in troubling you about this matter, now that you are so much occupied, and it will at least give me a few kind lines from you which will atone for much.

After sending your letter the other day, *one of your boys* who is a splendid fellow, said "Why didn't you tell Mr. Davis that whilst we all were charmed that he did not visit the Winnebagoes, we all regret those Yanks should not for once know what it was to hear one good speech,"—which as the antidote to the poison in the first of this I *now* give you.

Belle we are going to send off to the Yellow Sulphur the first of next week, much against her wishes, as she is so well and fat now, that she desires to remain with us the entire summer here. She with her Mother and Brother William desire their love to Mrs. Davis and yourself. Do give mine especially to that better half of yours, and the rest of your household.

Yours ever devotedly,

Virginia Ritchie.

endorsed:
Jennie Ritchie; about Mrs. McCrabb and Missi. Repudiation; ansd. 3d Sept. '75.

(Portion of letter from Mrs. McCrabb, enclosed with above.)

Let me ask Do you ever hear from Mr. Davis? I have felt very much like writing him, but a sort of timidity has restrained me. It has been asserted in my presence that repudiation in Mississippi was ascribable to Mr. D., his influence and efforts.

This I contradicted, having been told the contrary many years ago, by one who spoke confidently on the subject. My denial was not accepted, and Mr. D. has to bear the odium. Why should I care? and yet I did care and do care and it was to receive from Mr.D his disavowal that I thought to write him, and yet I hesitate. *If you* correspond with him, would you name this to him. I know Mr.D. would not misunderstand my meaning. He would feel it was prompted by a true womanly feeling to help those who are unjustly and ungenerously accused, particularly in the case of this eminent and gifted man whom we all love and honor. Two pages on the subject! I will stop at once. My love to Mrs. H. to Belle and yourself, dear Jennie, from

Yr. sincere friend,
J. M. McCrabb

John Turbett to Jefferson Davis.

(From Confederate Museum.)

Washington Creek P.O.
Douglas Co., Kansas. Augt. 27, '75.

To the Hon. Jefferson Davis
Sir

It is a long time cince last I had the Honour as well as the pleasure of being associated with you in arms in behalf of this our comon Country. Strang as it may seeme to you and I fought sid by sid on the same field through our positions at that time ware diffrent from each other you a Coln of a Regiment from Mississippi and I a private Soldier in Company B 4th light Artillary then comanded by Capt J M Washington

Although some 29 years has entervened cince then and many have ben the changes All my officers have longe cince died

namely Capt Washington, Lut Obryan Lut Brent and Whiting all gone and to day I know not of one single comrad on erth except yourself and General Pillow have you forgotten Buena-vista I am sure I have not I remmembr well of yourself and Lut Obryan of out company riding forward to meet St Aanns flag of truce and receiving his note to Gen. Taylor this was performed on the road amediately in front of our Batterry of six guns. there is many other incdents I could cite your attention too put perhaps I am intruding on your time and patience but I am near the close of my life having ben an invalid ever cince that time and in destituet circumstances my mind runs back with verry pleasant refflections to the time honoured days of 1846-& 7

Trusting you will condesend to renew and old acquentence I am with due Respect your most obdient Servent

(Signed) JOHN TURBETT.

N. P. Banks[1] *to Jefferson Davis.*

(From Confederate Museum.)

Waltham, Massachusetts,
30, August 1875.

Honorable Jefferson Davis,
Sir:

Will you permit me to introduce to you James Redpath, Esq., a citizen of established reputation and the most successful and influential of the Lecture Managers of the Country. He has an enterprise in view the merits of which he will explain to you. It is, in brief to bring prominent representative men of

[1] Banks, Nathaniel Prentiss (1816-1894), a soldier and politician, was born at Waltham, Mass., January 30, 1816, and when only twelve years of age was put to work in a cotton factory. After following several lines of business, he studied law, and was successful in the practice; was a member of the Massachusetts legislature from 1849 to 1852, and for two years speaker of the house; was chairman of the Massachusetts constitutional convention of 1853; was elected to Congress as a Democrat in 1853 and became speaker of the House in 1856 after a celebrated contest. He became a Republican, was Governor of Massachusetts, 1853-1860, and then went to Chicago as president of the Illinois Central Railroad. He entered the army in 1861 as major general of volunteers and served to May, 1864, when he was relieved of his command in the department of the Gulf. He was reelected to Congress from his old district in 1864, and served almost continuously until March, 1879. In 1872 he was a supporter of Horace Greeley. From 1879 to 1888 General Banks was U. S. Marshal, and was then again in Congress for one term, as a Republican. He died at Waltham, Mass., September 1, 1894.

the North and South together in leading Northern and Southern cities. The plan, is seems to me will be beneficial in a national point of view. I shall probably participate in it myself.

Mr. Redpath's assurance that you will be received with the respect due to an invited guest needs no endorsement from me. I have no doubt of it and I think no one else doubts it.

Mr. Redpath has a reputation so well established, as a manager of the Lecture platform that he may be implicitly relied upon to carry out successfully any project in the line of his profession he may undertake.

I have the honor to be, Yours, etc., etc.

(Signed) N. P. Banks.

Jefferson Davis to Mrs. Virginia Ritchie.

(From Confederate Memorial Hall.)

Memphis Tenn. 3rd Sept. 1875.

My dear (Mrs.) Ritchie;

As every bitter has its sweet so I acknowledge my indebtedness to these days of floods, as to them you figuratively attribute your second very acceptable letter. It gives me pleasure to answer the inquiry you make on the part of Mrs. McCrabb and I only regret that she should have felt any hesitation in writing to me herself. I recollect her very well and was prepared when we first met to regard her as a friend because of the affection and esteem I have felt and feel for her brother.

And now to the question in issue. I had no more to do with the repudiation by Mississippi of the bonds issued than either of you had. I was sent to college, when a boy from college went to West Point, from West Point into the Army, and served on the Indian Frontier until 1835. Then left the Army and located in a very retired place distant from the county in which my father lived and where I had been reared so that I was a stranger in Mississippi seldom leaving the cane brake in which I lived, when in 1836 the last of those notorious bonds were issued. It was seven years thereafter before I was brought into any political discussion and then only in the county in which I resided. Before that time (1843) the famous Union Bank bonds had been repudiated, and though the question still entered into Party politics it had little more than an historical existence.

Upon the question as a politico-moral one I opposed the doctrine of repudiation insisting that governments like individuals might create debts and like individuals when claims were made

against them had no right to make any other issue than one of fact,—is there a debt or is there not. For that publicly declared opinion the party of repudiators made war upon me in the beginning of my political life using both stratagem and concentration of their forces to defeat my nomination for Congress in 1845. I was in full fellowship with the Democratic party of Mississippi, and though most of the repudiators were in it, they were still a minority, and sustained by the party I was nominated. About this time the new phase of repudiation presented itself in the form of a bill to cancel debts due, to banks which had violated their charter. This was relied upon as a popular thing to control the Democratic Party and to check my political progress. Before the nominating convention met I wrote a letter printed copies of which were distributed among the members when they met. It severely condemned the project as against good morals and integrity even if it could be sustained at law. Some of my best friends strongly advised against the circulation of that letter pronouncing it an act of political suicide, while admitting that it stated what every honest man must feel. I am glad to say, that their fears were not realized, the honest instincts of my fellow citizens sustained the right.

I may here add that I never at any time held any civil office in the State of Mississippi. When the federal government sought to discredit the Confederacy in foreign markets they sent Robt. J. Walker to England to represent me as a repudiator. No man knew better than he the falsity of his representations for he was an active politician in Mississippi when repudiation occurred and it was years afterwards before he knew of my existence. To his misrepresentations and to my defense in your father's paper of the honor of Mississippi long after the act termed repudiation had been done is I suppose to be attributed the current slander which has provoked our friend Mrs. McCrabb.

With tediousness of detail I have given you the facts as they bear upon myself connected with this question, and you can give Mrs. McCrabb as much or as little of them as you please.

Please give my love to your Sister and Brother and Miss Belle in all of which Mrs. Davis cordially unites as well as in tendering to you her sincere affection and the hope you will let us often hear from you.

My daughter Maggie who writes for me hopes you have not forgotten her, and wishes you to accept her love.

As ever truly your friend,

JEFFERSON DAVIS.

Jefferson Davis to A. J. Beresford Hope.
(From New York Historical Society.)

Memphis, Tenn.
Hon. A. J. Beresford Hope, 4th Sept. 1875.
My dear Sir,

Please accept my sincere thanks for your kind letter, and as well for the photographs of the beautiful statue, for which we are so much indebted to you. In dignity, strength, and repose the statue is regarded here as a master piece. It will when in place, be, I think, the finest statue in our country and I wish you would come to witness the admiration of a crushed people, for those abroad who respect them, and to receive the cordial expression of gratitude felt towards you.

The Editor of one of our papers in notice of you in connection with the Statue, so far mistook your age as to confound your Father with you. As his article is not likely to reach your side, except in the single copy sent to you, you may laugh in security at your country cousins.

Mrs. Davis joins me in kindest remembrance and warmest sympathy with Lady Mildred on account of her late illness. We both congratulate you sincerely upon her recovery. Please present us both to your Daughters.

With highest regard
I am yours Faithfully
JEFFERSON DAVIS.

Jefferson Davis to James Redpath.[1]
(From New York Historical Society.)

98 Court St.
James Redpath Esqr. Memphis, Sep 6th 1875
Dear Sir,

I have received yours of this morning and hasten to reply that my note was intended to express my regret at my inability to show you any attention, certainly not to decline an interview which would be entirely agreeable to me.

[1] Redpath, James (1833-1891), a journalist and author, was born in Berwick-on-Tweed, England, August 14, 1833, removed to Detroit, Michigan in 1848 and to New York, N. Y., in 1852, where he became a member of the staff of the New York Tribune. He went to Kansas as correspondent for that paper in 1855, subsequently travelled in the southern States to observe the condition of the slaves and joined in a project for the colonization of negroes in Haiti. During the Civil War he was a war correspondent,

I leave on the Memphis and Ohio railway at noon and suppose it probable we may be fellow travellers.

I would have called to see you at once, but am quite feeble from a very recent illness, but would have been happy to see you at my own house had time permitted you to call.

Believe me with thanks for your courteous expressions,

Very truly
Yours,
JEFFERSON DAVIS.

Geo. W. Jones to Jefferson Davis.
(From Confederate Museum.)

Dubuque, Iowa. Sept. 6th, 1875.

Ever dear friend:

I hope this may find you either at Memphis or that it may be forwarded to and reach you at Kansas City where I would go to join you on the 14th if I thought you would come home with me from that place. But as you may go to Colorado and I cannot be away from home so long a time I must defer going to see you, tho' I will meet you at Sioux City, Council Bluffs or Omaha if you design returning that way from Colorado as I infer you intended to do from what my son Geo. Rice Gratiot wrote me from Memphis.

I regret very much you were not invited by the Prest of the Exposition here to make their address at the Fair or that you did not think proper to accept the invitation of our pioneer settlers, miners, officers &c. and to address our re-union where I am quite sure you wd have had a much larger audience than their orator will have and that your hearers would have been more highly gratified than they will be—

You must surely come to see us this fall and en route home after going to Colorado or elsewhere. If you go to Colorado don't fail to see my noble friend Dr. N. G. Sales of *near* Golden who was with us in the Black Hawk War, who did very much to make me a Senator and who is one of God's noble men. Let

attached most of the time to the armies of Sherman and Thomas. When the war closed he became superintendent of education in Charleston, S. C., and in that capacity established colored schools and the colored orphanage. In 1879-1880 he was in Ireland reporting famine conditions and became an advocate of Home Rule. In 1880 he became a member of the staff of the North American Review; was editor of that periodical in 1885 and of Belford's Magazine in 1886. He assisted Jefferson Davis in the preparation of the Rise and Fall of the Confederate States, and Mrs. Davis in writing the memoirs of her husband. He was the author of several books relating to slavery. He died in New York City, February 10, 1891.

me know your movements in time so that I may, if possible join you, my dearest and greatest of friends—

Yours ever till death,

(Signed) Geo. W. Jones.

Genl. Jefferson Davis,
Memphis, Tenn.

Geo. W. Jones to Jefferson Davis.

(From Confederate Museum.)

Dubuque, Iowa. Sept. 7/75.

My very dear friend:

I wrote last p.m. and inclose now a copy of the same as the Telegraph announce this a.m. that you left Memphis at noon yesterday. You will probably be at Desoto tomorrow or St. Louis. If you get this before going to Desoto send there for my nephew-in-law Theodore Bisch whose wife is my wife's niece and the oldest daughter of Felix d'St. Vrain whose father, the Agent of the Sac & Fox Nation at Rock Island, was killed near Buffalo Grove, by the(m) with 4 other persons, the Indians knowing at the time that he St. Vrain was their Agent and that he had been their devoted friend but thought, wrongfully, that he, St. Vrain, had gone to St. Louis for Genl. Atkinson's army when he urged not bringing the army up and to depend on his influence to bring them across the river to Davenport, Iowa.

Theodore Bisch and his whole family are your devoted friends and have been impoverished in the Southern Cause. They lost 6 children in one month last summer or fall. I want them to see you as I, also, do that Henry G. Soulard Senator L. V. Bogy, both of whom were here in the Black Hawk war, Hutchins N. Edwars . . . and Hodnett of the Times Newspaper, Genl. Hamey &c. &c.

I am more anxious to see you now than ever before in my (life) but I cannot, ought not to leave here this week on account of my private affairs and because of the Fair wh I have invited upwards of 500 to attend, because and for that reason *only* I expected you would be here.

Try to let me know what your route of travel will be and *when?* Ever devotedly your friend

(Signed) Geo. W. Jones.

Genl. Jefferson Davis,
Expected at
St. Louis, Mo.
P.S. Your star is rising again sure.

Crafts J. Wright[1] *to Jefferson Davis.*

(From Confederate Museum.)

S. E. Corner
41st & Langley Ave.
Chicago. Sept. 30/75.

Dear Friend:

From Glendale O. I have moved and am residing in this city at the above place. I some time since in reply to some attacks on you in regard to the mistakes as to the Horticultural speech near here, undertook a reply but did not get it published. If you are willing to come here, do so and visit me. I am quite certain such a visit would break down much of the opposition manifested to you and show the same did not extend to intelligent men.

Once broken, all would I think in the future be clear.

I am not living in style but comfortably I have come here to care for my grand children chiefly. If you would be pleased to meet an old friend, and in doing so put up with what is not fashionable or style, I have the room—the heart and the manliness to be glad to welcome an old friend and class mate, and any he choose to bring with him.

The penny post delivers mails twice a day and the telegraph near at hand. My place is quite on the South Side and in what is termed the Hyde Park district of Chicago—near street and steam car. I should be glad to have you visit me and send me word, so that I could arrange for you and meet you in the city or at any R. R. depot when I knew the train you would come by. There are many wise and fine men here.

Truly yours,
(Signed) Crafts J. Wright.

[1] WRIGHT, Crafts James (1808-1883), a soldier and editor, was born in the State of New York in 1808; graduated at West Point in 1828, and resigned from the army the same year. He settled in Ohio, practised law there, and from 1847 to 1853 was editor of the Cincinnati Gazette. During the Civil War he was a colonel first of a Missouri and then of an Ohio regiment, serving in the West. He took part in the battles of Fort Donelson and Shiloh, and shortly after the siege of Corinth, in which he participated, withdrew from the army by reason of ill health. He was a farmer near Glendale, Ohio, until 1875, when he was appointed Superintendent of the U. S. Marine hospital at Chicago, Ill., and held the office until his death in Chicago, July 23, 1883. Wright was Secretary of the Peace Conference held in Washington, D. C., in February, 1861, and published a journal of the proceedings.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Vicksburg
Maj. W. T. Walthall. 29th Oct. 1875

My dear Sir,

Turnbull of Turnbull Brothers of Baltimore has just left me, having come here to confer with me about your letter. He says that in three or four months he will offer a definite proposition to you and asks that you will give him that time before inviting proposals from any other publishers. I told (him) I would write to you and if you had not already written to any other publisher that I supposed in view of his earnest wishes and liberal intentions in regard to the publication you would accede to his request.

F. H. Alfriend wrote to me from Atlanta enclosing an article he had written in my defence, in replying to his letter I mentioned your present work for me and told him I had referred to him in my conversation with you as one who had labored to present me fairly before the public &c. &c. & give him your address that he might if he chose write to you.

Very truly yours

JEFFERSON DAVIS

My address will be for the next ten days—care of Payne Kennedy & Co. 67 & 68 Baronne Street New Orleans La.

J. D.

C. C. Clay to Jefferson Davis.

(From Confederate Museum.)

Clay Place, near
Gurleysville, Madison Co., Ala.
Oct. 30, 1875.

My dear Sir:

Maj. Walthall, by letter, calls my attention to an extract from "American Cyclopoedia," Vol. V., title, Davis (Jefferson), and requests my recollection of the fact asserted: "Especially as regards the 'Conspiracy' referred to; time, place of meeting and objects of the Secret Caucus, and more especially the position of Senator Davis with regard to these matters." He adds a postscript that he writes with your approval and that you have given

him your recollections and know his purpose to attempt to correct these misstatements. I wish to aid him, for your sake and that of history, but feel it due to you and to myself to compare recollections with you before writing anything for publication (as I have confidentially advised Maj. W.); lest I should unwittingly wrong or wound you. Besides, I have strong impressions it may be false, and, if true, need not be uttered in your defence, and would not be without your consent. I will be brief and explicit in answering each assertion of the article.

1—My impression is that you did not expect, hope for or desire the nomination for President of the U. S. in 1860, and were not disappointed or chagrined by not receiving it. You never evinced to me, by word, look or sign, any such asperation or regret. And I think your relations with me were as intimate and confidential as with any one else, outside of your own family. I am sure your not getting the nomination did not exert any influence on your political conduct.

2—If you participated in any "Conspiracy which planned the Secession of the Southern States," or in any "scheme of revolution," I do not know it and never heard of it till the appearance of this article— I am sure the Southern States did not follow (nor any one of them) any plan or scheme conceived or uttered in Washington City. The article quoted betrays the grossest ignorance or basest mendacity.

When the Caucus met, on 5th Jan. 1860, South Carolina had seceded and Ala. Fla. and Miss. were about to assemble in their Legislative capacity for the same purpose, and nearly all the Southern States had pledged themselves to separate, in the event of the triumph of a Sectional party in the Presidential election —in case of Ala. by resolutions passed thro' both Houses of the Legislature on 21 of Feb. 1860, with but two dissenting voices. Their acts were before the world and not done in a corner, and must or should have been known to the author of the Article.

Secession originated, was matured and carried out by the peoples of the several states, in accordance with no common or preconceived plan or scheme; much less in compliance with the suggestions of Senators or Representatives in Washington. I do not remember that a scheme was considered or suggested in the Caucus— I am sure none was adopted. The 1st resolution declared "our opinion that each of the Southern States should, as soon as may be, secede from the Union"; the 2nd, "that Convention should be held at Montgomery, Ala. to organize a Southern Confederacy, not later than 15, Feby." 3d, in view of hostile legislation threatened, asked whether we should remain in Con-

gress till 4 March, to defeat it; 4th, appointed you, Slidell and Mallory, a committee to carry out the objects of the meeting.

No resolution was adopted touching the accumulation of munitions of war, organizing an Army or holding on to our seats to paralyze the Govt. The Resolutions express the truth—the objects of the Caucus as I remember them. Instead of Senators remaining at W. in the Senate, all, I think, but Wigfall—Johnson, of Tenn. retired as soon as advised of the Secession of the State from which they came; and Washington, only, "to paralyze the Govt."

My impression is that quite all and *you* among them, regretfully consented to Secession as a political necessity forced upon the South by the Sectional hostility of the North to popular and States rights. Wigfall, Toombs and myself, were the extremists and I do not think either of us *desired* Secession; but I regarded it then, as I do now, the duty of the South.

I do not now recall to view anything else that I should state, or that is necessary to your vindication or the truth of History. But you will remember, that I was a great sufferer with asthma that winter, and I may not have attended all the meetings in caucus. No doubt all that was worth mentioning was told me, if absent; but I may have forgotten something essential. If so, pray correct me, and in doing so, suggest what you deem proper as to the statement I make or the expression of them in this letter. I regret having to admit to you, that my memory is not as good as it once was, and that many events of those days and of the war have escaped my recollection.

I avail myself of this occasion to assure you of my sincere sympathy with you in all that affects your welfare or character, and my anxious wish to promote both; and I fondly hope that your faith in my friendship remains unimpaired, and is as strong as I deserve or desire.

My health is better than ever for the last 15 years, and would be perfect, I believe, but for the mental troubles incident to my reverse of fortune and the hard bondage of debt. Altho' I have extinguished more than 50,000 of debts since 1866, I am still owing about 7,000, and fear that I shall be constrained to sacrifice my land to pay it. I have put a saw mill, with a 30 horse power steam engine, up, near the railroad, and have my own side track. I wish to run gist mills and shingle and lath machines by the same power, so as to utilize all my timber and keep the power constantly employed. The *cash* demand for plank is not sufficient to keep the saw mill going, and I cannot afford to saw lumber and keep it, or let hands stand idle. I cannot dis-

charge and command them as I choose, especially an engineer and a sawyer. If I had the shingle, lath and gist mills attached, then my Engineer and Sawyer might run one of them without other help.

My wife and I own nearly 4,000 acres of land, but have only 550 in cultivation; the income from which is but little more than absolutely necessary for our support. Lands have declined in value very much since 1867 and would not now bring more than half what they would then have commanded. Indeed, wild lands are unsalable save for a mere trifle compared with their intrinsic value. Now, there is no money to lend here, save by the Banks at 60 to 90 days, or by a few Shylocks at such usury as only drowning men will give. There is a redundancy of circulation in New England and New York, according to the reports of U. S. Treasury Department, but I have no friend there to aid me. I am almost in despair. Possibly you may suggest some relief— at all events, I am sure would, if you could and I therefore mention these things, with some self reproach and mortification; for I know your own cares are enough for you to bear.

My wife is with me here, trying by economy and good offices to help me out of the mire. She is quite well and as cheerful as circumstances will permit. She joins me in affectionate salutations for yourself, Mrs. Davis, and your children.

Your friend,

(Signed) C. C. Clay.

G. W. Alexander to Jefferson Davis.

(From Confederate Museum.)

Office of the Gazette, 923 D St.,
Washington, D. C.
Nov. 12, 1875.

Hon. Jefferson Davis,
Dear Sir:

Susie and I pray for you every day— I thank you for your kind letter, indeed memory will never permit me to be silent, while life lasts I will love and speak for my beloved Chief.

Kossuth, from whom I received a beautiful letter, I was with him in '50, had his faithful Carl Hehas— You have your Alexander—

I received a very kind letter from Hon. J. P. Benjamin yesterday, he laughs over his "Pirate."

I trust you receive your paper— Mr. Tyler left—he is getting

so crotchety Mr. Foute (of Memphis) and myself had a sorry life of it— I would share my last dollar with the old man tomorrow, but he cannot run a newspaper in the Capitol— My last paper increased the circulation.

It is the first time I have used billingsgate and will be the last, so I thought I would give it to them good— One burly fellow came into the office with a pair of old horse pistols, but we didn't *run*— They clicked like the old Belgian rifle— I think the fellow has more respect for us than he had— Do you not think Jas. Lyons an inflationist from his letter—

May God bless you and your family— Yr devoted,

G. W. Alexander.

They are very polite to me at the White House and in the Department.

Clipping enclosed:

The *Chronicle* drags Captain Wirz's name into its lying card. We tell you, sir, the day is not far distant when Americans will regret that Wirz was not American born, for he showed to all such cowards as you are that men can and dare die for honor. They well know Wirz was offered life if he would swear against his President.

The second clipping refers to Hero, "a more honorable dog than any in their crew."

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

On Missi. River

Maj. W. T. Walthall 14th Nov. 1875

My dear Sir,

I received your letter and also that of Mr. Clay forwarded to me while in New Orleans.

Mr. Clay presented his recollections on each point and I have written to him expressing my concurrence and adding some details. Also told him it was my confidence in him which caused me to refer you to him for information. Not to bring him before the public, but to ascertain facts on which to found an article. I neglected to notice one statement of his letter, that a Committee composed of Slidell Mallory and myself was appointed by the Council of Southern Senators. Indeed did not

remember any thing it did, unless it was the advice against an attack of Fort Pickens, concerning which you know more than I recollect.

Your letter is not at this moment within my reach, therefore I must leave any remarks upon the replies of the Publishers to a more convenient season.

My departure from New Orleans was hastened by a letter requiring my attention to business matters in Missi. Expect to be in Memphis by the end of this week. The position of President of the American Branches of the London Society for the development of the Missi. Valley, has been tendered to me and accepted. The arrangements have not however been completed. If there is no slip it will cause me to reside in New Orleans. The Society is *non trading,* but designed to encourage direct trade and investments of English Capital in our section.

As ever your friend

JEFFERSON DAVIS

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Memphis, Tenn.
Nov. 21st 1875.

My dear Sir,

Yours of Oct. 14th has been received, after the delay consequent upon my long absence from this place, and constant occupation which have elapsed since my return I have the honor to reply.

Your letter to Turnbull Bros. similar to those to Lippincott & Appleton are entirely satisfactory to me. As I wrote to you after the visit of Mr. Turnbull I suppose he will make you a definite proposition as soon as he is prepared to do so. I have read the slip from the Washington Chronicle, and will not stop to treat of the bald attempt of the Editor to pervert the matter he presents from its plain intent.

The letter of Mr. Yulee written "in haste" is to be construed by the attendant facts of the case. It was anticipated, and subsequent events proved truly, that if the Southern Senators withdrew the Northern Senators would provide by legislation to coerce the states which might determine to secede. It was loose language to speak of "tying the hands" of Mr. Buchanan as he always denied the constitutional power of the general Govt. to coerce a state, and it could only have been used as a term equiva-

lent to the Northern Majority in Congress, as it would be if the Southern delegations were withdrawn. The first resolution is an opinion as to the *time* when that should be done which it was known had been decided upon by the people of the Southern States, and this appears also from Mr. Yulee's letter where he does not speak doubtfully of the intent of the states to secede, but only as to the time when Louisiana and Texas could be represented in the Congress of Seceded States. The third resolution asks for instructions on a question which had been debated, and about which there remained a difference of opinion. For myself, I can say that I was never willing to retain a seat in the Senate as a position favorable for making war upon the General Government. On several occasions in debate in the Senate I expressed myself very emphatically as to the point of honor involved in so doing. Indignant at a secret slander which represented me as wishing to dissolve the Union while holding a seat in the Senate I on one occasion stated my opinion of the obligation imposed on one holding such office, and announced that "if any man would call me a disunionist I would answer him in monosyllables," and my constituents so well approved of my position that at an election a flag was displayed bearing that inscription as my declaration. The 1st and 3d resolutions seem to me to offer an alternative whether secession should be delayed until after the 4th of March, or be completed at once. In the former case Senators might be instructed to remain, in the latter, they could have no right to do so, no more than a minister might continue his functions at a foreign court after his Government had terminated diplomatic relations.

The 4th resolution as printed makes the Committee to consist of Messrs Slidell & Mallory. Mr. Clay's memory is that I was on that Committee. I do not recollect whether I was or not, and the fact of having no such recollection, together with the certainty that if the Chronicle has the original resolutions they would not have suppressed my name in that connection inclines me to believe that Mr. Clay's memory may be at fault. It is a matter however of small importance, as I certainly would have served on such a committee if requested, and have no wish to avoid any responsibility which attaches to the Committee, as the organ of the meeting.

A Railroad Convention has so occupied me since my return that I have not read the Literary Messenger, and a tract you sent me and being now about to leave to attend another like Convention at St Louis it may be some days before I can give them that careful perusal which is desired. I will however do

so as opportunity serves, and annotate the difference of views if there be any.

Accept my thanks for the care taken of the papers confided to you the *Letter Books* being especially valuable.

I have written again to Mr. Harrison about the letters and papers preserved by Mrs. Leovy and handed to him after the war, and in this last requested him to send them to you. I hope they are answers to many letters in the *Letter Books*, or letters to which those Letter Books were answers, and will thus shed much light upon the current events of the war.

My trip to Kentucky was peculiarly pleasant, and attended by some incidents which had more than a personal significance.

Trusting that you have recovered from your indisposition with kindest regards to your household I am

Very respectfully
and truly your friend

Maj. W. T. Walthall. JEFFERSON DAVIS.

Wm. M. Gwin[1] *to Jefferson Davis.*

(From Confederate Museum.)

THE WINDSOR,
Fifth Avenue.

Hawk & Wetherbee. New York.

Dec. 1st, 1875.

My good Friend:

The parties who control and are the principal owners of the Houston & Texas Central railroad, were and are entire strangers to me. But the manager and one of the principal owners of the

[1] Gwin, William McKendree (1805-1885), a political leader, was born in Sumner County, Tenn., October 9, 1805, was educated at home, studied law but abandoned it for medicine and took his medical degree at Transylvania University, Ky., in 1828. Settling in Mississippi, he gave over a good practice to accept appointment as U. S. Marshal. He was a member of the national House of Representatives from March 4, 1841, to March 3, 1843. He removed to California in 1848; was a member of the California Convention of 1849, and was U. S. Senator from California from September 9, 1850, to March 3, 1855, and from February 16, 1857, to March 3, 1861. He was arrested on a charge of disloyalty to the United States Government, and was imprisoned until 1863. He then went to France and interested the Emperor of the French in plans for the colonization of the State of Sonora, Mexico. After his return to California, Dr. Gwin was active in politics, and supported Tilden in 1876. He died in New York City, September 3, 1885.

Southern Pacific Railroad of California was and is in negotiation with the H. & T. Central road to fill the gap between the Colorado river and Austin, the former to build the road to El Paso and the latter thence to Austin. It is of vital importance to get a charter from Texas to continue the road from Austin to El Paso, in fact the whole scheme fails unless the charter is obtained. So certain was I of their jumping at the chance of getting your aid which made success certain that I did not contemplate the possibility of their hesitating. Yet they so hesitate only on the ground that the case is not pressing.

I have addressed a note this evening demonstrating the absolute necessity of immediate dispatch, with a verbal message if upon reading my letter the managers of the Houston & Texas Central road do not act promptly and notify me of your immediate appointment tomorrow, that I withdraw the application. These men are rich and slow, and if not spurred to act at once, will place it out of your power to get the charter for waste of time.

I remain here another day for the express purpose of getting this matter closed up satisfactorily. If they fail to employ you the whole scheme will fail as I stated very decidedly today to those who have their hearts set upon making this the trunk of the Southern Pacific railroad. I hope by tomorrow night to have it all arranged. If exerting all of my power will mean success it is as good as achieved.

With my affectionate regards to your good wife, I remain,

Very truly yours,

Hon. Jefferson Davis. (Signed) Wm. M. Gwin.

Wm. M. Gwin to Jefferson Davis.

(From Confederate Museum.)

THE WINDSOR,
Fifth Avenue.

Hawk & Wetherbee. New York.

Dec. 2d, 1875.

My dear Friend:

The Houston and Texas Central railroad Company have not yet decided to apply to Texas for a charter to extend their road from Austin to El Paso. They are slow and cautious and Gen. Huntington who acts for the Southern Pacific railroad Company

of California, fears to urge them to a decision for fear they may draw back. Their co-operation with him is of vital importance and he has no doubt he will secure it by giving them time. They see no necessity of an immediate application to Texas as the Legislature does not meet until January. He advises me to wait upon them until they agree to his proposition which is to connect with them at El Paso, before I withdraw the proposition to send you at once to Texas.

I think he is altogether wrong and have told him so, and informed him that I should so advise you so as not to make any calculation on receiving the appointment, but he still insists on my waiting upon them. I have no faith in such people, yet I will follow his advise so far as to be ready to make the offer of your services when they need them with the understanding that you are under no obligation to accept the appointment if it interferes with your other business engagements.

This delay will in my opinion prove fatal to the project of making the terminus of the trunk line at Austin. What a fatality it is that money and brains do not go together. Any man of very ordinary sense must know that Scott will put his men to work to prevent this charter passing the Legislature of Texas unless they are promptly checkmated by securing the proper influence at the earliest moment.

I am thoroughly outraged at this delay, but am helpless for the present.

Very truly yours.

Hon. Jefferson Davis. (Signed) Wm. M. Gwin.

Wm. M. Gwin to Jefferson Davis.

(From Confederate Museum.)

Washington City.
Wormley Hotel, Dec. 11th, 1875.

My dear Friend:

Your letter of the 6th Inst. only received this morning is a great consolation to me. From constant study of the subject I was so impressed with the great importance of prompt action, that I was not prepared for the hesitation I was met with in New York, and I was greatly shocked at my suggestions not being acted upon at once. I find I was unjust to the parties to this great enterprise. The building of a railroad from Austin to El Paso involves the expenditure of millions of dollars, and well

may very wealthy men hesitate before they make the first plunge in such an enterprise. My friend who left here two days ago, says he has no doubt they are preparing to act so soon as they are satisfied Scott cannot force his bill through Congress. Scott's followers talk so confidently that these retired monied men are frightened at their confidence.

You are mistaken as to their having any prejudice against you. On the contrary, they say you are the very person to act when they are ready. I was asked a few days ago whether I thought Texas could be induced to increase the state bond subsidy from six to ten thousand dollars per mile on the route from Austin to El Paso. I replied that if any living man could succeed in getting such legislation in Texas you are the man.

I will send your letter to my friend in New York to be used confidentially and feel certain it will result in immediate action. I do not wish you to turn aside from any purpose you have in mind expecting anything from these parties. At the same time I believe they will ask for your services at an early day. Whether you can engage in the business or not will depend upon yourself. If they cannot command your services it is their fault.

I had a letter from New York this morning saying the arrangement to connect the two roads at El Paso was progressing very favorably. As a part of the programme to connect the two roads is your expected aid to get legislation from Texas. But still I will expect nothing so that I may not be subjected to the bitter disappointment I experienced two weeks ago.

With my affectionate regards to Mrs. Davis, I remain,

Very truly yours,

Hon. Jefferson Davis. (Signed) Wm. M. Gwin.

W. S. Winder[1] *to Jefferson Davis.*

(From Confederate Museum.)

21 North Calvert St.,

Hon. Jefferson Davis, Baltimore, Dec. 13th /75.

My dear Sir:

Your letter of the 7th inst reached me this morning, and I thank you for the kind feelings and sympathy you express, I had no reason to doubt that my Father during his life had your confidence, and I felt sure that you would not hesitate to give me all the assistance in your power to vindicate his memory. In

[1] Confederate soldier, captain, A. A. G. to his father, Gen. J. H. Winder.

my letter to you I told you of the reply Gen. Winder sent to Col. Chandler's report and more than a year since I wrote to the Secy. of war (Gen. Belknap) requesting permission "to examine the Confederate Archives in his Dpt. for the purpose of getting material to be used in defence of my Father and for no other purpose" he declined, but closed his letter by saying, "that if you will inform me of the nature of the papers and documents which you desire to use for the purpose alluded to in your letter I will take steps to have them examined, and if I can properly do so will provide you with copies." Not satisfied with that answer I wrote (with the permission of the Sec. of war) to the President. He also denied me, but said it might be different if I would designate a particular paper. I wrote a few days since the following letter to the Sec. of war, but have as yet rec. no reply.

Hon. H. W. Belknap, Sec. of War,
Sir:

In a former letter which I had the honour of addressing you. I asked permission to examine the Confederate Archives for the purpose of getting material to be used in defence of the memory of my Father, and for no other purpose. You denied that request, but stated (here follows what I have quoted on the opposite page)

I respectfully ask that you will furnish me with a copy of Gen. Winders reply to Col. Chandler's report, which reply included a statement of the Chief Quarter Master, Chief Commissary, Chief Surgeon and the commander of the prison at Andersonville. Gen. Winders reply with these statements, were forwarded to the Adjt. Gen. at Richmond, I think, in August 1864. I also desire copies of all letters and telegrams from Gen. Winder relating to prisoners. Soon after reaching Andersonville in *June 1864* the prison was then crowded and Gen. Winder wrote to the Adjt. Gen. or Sec. of War and sent that letter by an officer to Richmond. I would like a copy of that letter. At various times, he telegraphed and wrote concerning the exchange of the sick all of these letters and telegrams must have been among the papers captured, and I respectfully ask copies of them. I trust that the motive which induces me to make this request will be a sufficient excuse for the liberty I take, and permit me to ask that you give this matter your consideration at your earliest convenience.

Your obdt, svt.

W. S. WINDER.

Col. Chandler's conduct while at Andersonville was commented upon by some of the officers and he was evidently actuated by a personal dislike towards Gen. Winder. You are possibly aware that Chandler was always soured at not getting more rank, and *he resigned before the war closed,* and let no opportunity pass to denounce yourself and continued to do so after the enemy took possession of Richmond he having remained there after the evacuation and was not molested when the enemy came in but was if I am correctly informed on very excellent terms with them. Judge Robert Ould can give you information on this point should you desire it.

I need hardly say to you that Chandler's report to my certain knowledge is false and lays blame to my Father when he knew that he was giving a false impression even though he was giving some facts.

Should I get any papers from the Sec. of War, I will take pleasure in furnishing you with copies. I have written to Mr. Seddon, but have rec. no reply.

Permit me to call your attention to one fact, Chandler's report was made in July, in August Gen. Winder sent his reply as directed by the War Dpt. and *in Sept. 1864, he was given general charge of all prisoners East of the Mississippi River,* showing conclusively that his reply to Chandler's report was deemed satisfactory.

The want of the necessary means has prevented the publication of Dr. Stevenson's book.

I hope Mr. Davis you will pardon me for inflicting you with this hastily written letter.

Respectfully
Your obdt. Svt.
(Signed) W. S. Winder.

Permit me to enclose a copy of a letter rec. from Gen. Bragg.

Galveston, Texas.
19th November 1875.

Capt. W. S. Winder,
Baltimore.

Dear Sir:

My memory does not now serve me as to the particular interview to which you refer, but it is distinct as to the repeated efforts made by your Father for the general amelioration of the condition of Federal prisoners under his charge, and especially those at Andersonville. Had their own government exhibited

half the interest your Father did in their welfare we should have much less cause now for crimination on both sides.

Very Respectfully
Your obdt. svt.
BRAXTON BRAGG.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Vicksburg
23rd Dec. 1875

Dear Sir,

Your's of the 13th Inst. was forwarded from Memphis and received here. I am truly thankful for the invitation to address the R. E. Lee benevolent association of Mobile, at their meeting on the anniversary of the birth of that great and good patriot. It would give me sincere pleasure to meet the soldiers and sailors of the Confederacy at their approaching reunion, and unfeignedly regret that previous engagements will not permit me to accept the invitation.

It is very gratifying to me to know that those close ties and tender memories which are formed in times of a common danger and a common sacrifice are being preserved for the common benefit of the survivors and the honor of the dead.

Again thanking you and the members of the association for their kind consideration, I am

faithfully
JEFFERSON DAVIS

Maj: W. T. Walthall
Predt. Lee Benevo. Association
Mobile Ala.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Private

23d Dec. 1875.

My dear Maj. Walthall

Many things of such conflicting nature as not a little to perplex me, render it quite improbable that I could be with you on the 19th of Jany. and the regret expressed in my reply to the invitation of your association is less than is felt.

The announcement which caused you to expect I would be in N. O. was premature. No official notice has been sent to me of the modifications which were conditions precedent to my acceptance of the office. A member of the London Society then in this country was so sure that the modifications I proposed would be adopted, that he authorized the announcement. I wait now for official advices.

Truly yours
JEFFERSON DAVIS

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Memphis, Tenn.
27th Dec. 1875

My dear Sir,

On my return to this place yesterday, your kind letter of the 20th Inst. and the copies of the "Cycle" were received. Accept my thanks for the friendly defence you made of my past conduct and also my cordial approval of the article. Though my memory is indistinct as to the committee it is most probable that I was on it, and that it did so little as not to be remembered. The only thing that I recollect was the advice given to abstain from attacking Fort Pickens, and that may have been the action of the Committee. You were quite right in your assumption that I was one of those who opposed the idea of holding on to our seats to embarrass the government, and this not only because of my opinion as to the point of honor involved which must have compelled me to take that position, but also because I remember to have seen a report of a speech made by And. Johnson in which I was arraigned for not remaining in the Senate and aiding to control the course of the government.

It unifies the idea of Mr. Walpole to compare the years of denunciation against me for not agreeing to remain in the Senate after the state which Commissioned had seceded, with the present arrangement as having wished to hold on after Missi. had seceded. It was charitable not to impute a purpose to deceive by the "but," for the record shows that not I only but the Senators of all the Gulf States withdrew at the same time and the addresses of many on that occasion rendered it impossible that the writer for the Encyclopedia could have supposed mine an exceptional course, as he surely intended his readers to believe.

To correct the slanders against me would be a herculean task. That lying Emissary to England during the War, Robt. J. Walker, represented me as the author of repudiation in Missi. though he actively engaged in the state politics of that time, knew that I had then but recently left the U. S. Army, had no connection with the transaction and was a *stranger* in the state where I had been reared, but which I had left in boyhood. After the matter had been completed, when I was in Congress, and Walker in the Cabinet, I procured from the Secty of State Mr. Buchannan, letters for a member of my family who went to London to arrange with the holders of the repudiated bonds known as Union Bank bonds for their payment by the voluntary subscription of our citizens. We recognizing the equity of their claim, and they admitting the absence of legal liability. His proposition was rudely rejected and he returned. Subsequently a coarse assault was made on the State in an elaborate article, and I answered it in the columns of the Washington Union. From that answer Walker made an extract representing it to be cotemporaneous with Missi. Repudiation of the Union Bank bonds which had occurred some eight or ten years before the date of my defence of Missi. and the slander thus uttered in England was echoed by the Northern papers and has from time to time been reechoed, and notwithstanding its falsity has been several times shown is now probably believed by the people of the North generally.

Of like kind is the charge of cruelty to Prisoners, though during the War the Richmond Examiner assailed me as giving to Prisoners sumptuous fare while our soldiers in the field were suffering for food. After the War that vile scavinger Pollard charged me with trying to make fair weather for myself in case of disaster, by favoritism to Yankee Prisoners. Now the effort is to make me responsible for the suffering and death of Northern Prisoners, and to hide the *wanton* torture and deprivation of Southern Prisoners in the clamor unscrupulously raised.

I am compelled to return in a few days to Vicksburg and thence expect to go to New Orleans where I shall be glad to hear from you. My address there will be care of Payne, Kennedy & Co 64 Baronne street.

Accept my sincere thanks for generous defence of one so surrounded by villifiers as to make the task almost if not quite hopeless.

As ever truly your friend

JEFFERSON DAVIS

Maj. W. T. Walthall.

W. S. Winder to Jefferson Davis

(From Confederate Memorial Hall.)

31 North Calvert St. Baltimore,
Jan. 7th, 1876.

Hon. Jefferson Davis,

My dear Sir,

I take the liberty of again addressing you for the purpose of enclosing a letter; or rather, a copy of a letter rec. a few days since from the Hon. James A. Seddon. I informed you in my last letter, that I had written to Gen. Belknap Sec. of War for copies of certain papers, but as yet have rec. no reply, and have this morning written to him again.

Respectfully your obt. servt.

W. S. WINDER

"Copy" of Mr. Seddon's Letter.

Sabot Hill Dec. 29th /75

Mr. W. S. Winder,
Baltimore,

Dear Sir,

Your letter reached me some two weeks since and I have been prevented by serious indisposition from giving it an earlier reply.

I take pleasure in rendering my emphatic testimony to relieve the character and reputation of your Father the late Genl. John H. Winder from the unjust aspersions that have been cast upon them in connection with the treatment of the Federal Prisoners under his charge during the late civil war.

I had privately and officially the fullest opportunity of knowing his character, and judging his disposition and conduct towards the Federal prisoners, for those in Richmond, where he was almost daily in official communication with me, often in respect to them, had been sometime under his command before in large measure from the care and kindness he was believed to have shown to them, he was sent South to have the supervision and control of the large numbers then being aggregated. His manners and mode of speech was perhaps naturally somewhat abrupt and sharp, and his military bearing may have added more of sternness and imperiousness, but these were mere superficial traits, perhaps, as I sometimes thought assumed in a manner to disguise the real gentleness and kindness of his nature.

I thought him marked by real humanity towards the weak and helpless, such as women and children, for instance, by that spirit of protection and defence which distinguish the truly gallant soldier. To me he always expressed sympathy and manifested a strong desire to provide for the wants and comfort of the Prisoners under his charge, very frequently from the urgency of his claims in behalf of the Prisoners while in Richmond, controversies would arise between him and the Commissary General, which were submitted to me by them in person for my decision and I was struck by his earnestness and zeal in claiming the fullest supplies the law of the Confederacy allowed, or gave color of claim to. This law required Prisoners to have the allowance provided for our soldiers in the Field and constituted the guide to the settlement of such questions, strict injunctions were invariably given from the department for the observance of this law, both then and afterwards in the South, and no departure was to be tolerated from it except under the direst strait of self defence.

Your Father was certainly ever resolved as far as his authority allowed, to act upon and enforce the rule in behalf of the Prisoners; when sent South I know he was most solicitous in regard to all arrangements for salubrity and convenience of location for the military Prisons, and for all measures that could facilitate the supplies and comfort of the Prisoners and promote their health and preservation. That afterwards great sufferings were endured by the Prisoners in the South were among the saddest necessities of the war, but they were due in large measure to the cessation of Exchange, which forced the crowding of numbers never contemplated in the limited prison bounds which could be considered safe in the South to the increasing danger of attack on such places, which rendered Southern authorities and commanders hostile to the establishment of additional Prisons in convenient localities, and to the daily increasing straits and deficiencies of supplies of the Confederate Government, and not to the want of sympathy or humanity on the part of your Father, or his most earnest efforts to obviate and relieve the inevitable evils that oppressed the unfortunate Prisoners. I know this sad case, and his impotency to remedy it caused him keen anguish and distress. Amid the passions and outraged feelings yet surviving our terrible struggle, it may be hard still to have justice awarded to the true merits and noble qualities of your Father, but in future and happier times, I doubt not all mists of error obscuring his name and fame will be swept away under the light of impartial investigation, and he will be hon-

oured and revered as he ought, among the most faithful Patriots and gallant soldiers of the Southern Confederacy.

Very truly yrs.

endorsed: (Signed) JAMES A. SEDDON

Chas. S. Winder; prisoners.

J. Stoddard Johnston to Jefferson Davis.

(From Confederate Memorial Hall.)

State of Kentucky,
Office of the Secretary of State.
Frankfort, Jany. 10, 1876.

My Dear Mr. Davis:

I inclose you a copy of resolutions offered in the House of Representatives on Saturday by Hon. John Preston and my article in reference to them in the Yeoman of this morning.[1] The reso-

[1] (Clipping enclosed in letter of J. Stoddard Johnston to Jefferson Davis, Jany. 10th, 1876.)

Mr. Preston offered the following joint resolutions, which was referred to the Committee on Federal Relations, and laid over under rule:

WHEREAS, The State of Kentucky has been invited to participate with the other States in the Centennial Exposition, proposed to be held in commemoration of the 100th anniversary of American freedom, and whereas, the object proposed can only be carried out when that civil and political liberty and equality for which our forefathers contended are guaranteed to all our people; and whereas, various citizens of our own and other Southern States are under the ban of proscription imposed by the 14th Amendment, which proscription it seems the purpose to continue indefinitely, as would appear from a resolution introduced in Congress on the 5th inst., by James G. Blaine, a member from Maine; therefore, RESOLVED, That Kentucky will not participate in said Centennial until there shall be universal amnesty, and until all of her own sons and those of her sister States can unite on terms of equal citizenship in celebrating an occasion so fraught with interest to the free but at which those in bondage have no place. RESOLVED, That the Governor of this Commonwealth be requested to transmit a copy of these resolutions to our Senators and Representatives in Congress.

(Clipping from the "Ky. Yeoman" Jan. 10th, 1876.)

In the House on Saturday, Mr. Preston, of Trimble, introduced a set of resolutions relating to the Centennial, in connection with universal amnesty, which deserve attention. We indorse them heartily. The proposition of Mr. Blaine to exclude Mr. Davis from the terms of a general amnesty is an insult to those who are sought to be liberated from political bondage. The idea of making him the vicarious sufferer for acts for which he is no more amenable than thousands of his followers, is one which every honorable Southern man will resent. It would be more grateful to remand them all to the original proscription under which they were placed by the 14th Amendment, than to ask them to consent to see such unmerited obloquy heaped upon their chief. We are the friends of the Centennial Exposition, but will never advocate its recognition while any such

lutions were drawn by me in consequence of the introduction by Mr. Blaine of his substitute to Randall's Bill for Universal Amnesty. I do not feel that there is any danger of the passage (of) Blaine's Substitute but I wish to bring all the influences to bear to secure the passage of Randall's Bill which requires two thirds. The resolutions will I feel sure be adopted.

With kindest regards to Mrs. Davis, I am

Yours Sincerely,

endorsed: J. STODDARD JOHNSTON

J. Stoddard Johnston.

James Lyons to Jefferson Davis.

(From Confederate Memorial Hall.)

Richmond (Va.) Jany. 12 1876.

Honbl. Jefferson Davis,

My dear Mr. Davis,

I am just up from a long and painfull illness, but I am so goaded by rage, disgust and mortification at Blaine's vile attack upon you which comes in the paper of (to)day that I can not rest or be still. I know your contempt and dispication for the foul mouth coward and all like him, but I beg you to suppress those feelings now and give your own statement about Andersonville. All the World will believe you, even the Blaine rascals, but if they don't, no matter,—address it to the Speaker, but if you wont do this, then let me or some other friend. I beg you to do it.

Imogen unites in love to you and Mrs. Davis, and warmest sympathies for her late bereavements.

Truly yours,

JAMES LYONS

James Lyons to Jefferson Davis.

Richmond (Va.) Jan. 14th 1876.

Hon. Jefferson Davis,

My dear Mr Davis,

I am cool to-day and therefore write to you, in order that you may not suppose that my letter yesterday was merely the effect of feeling. Again I beg you to answer Blaine. He has assailed

indignity is proposed, or while any of the people of this or any other States are excluded from participation.

(Enclosed in letter from J. Stoddard Johnston to Jefferson Davis, Jany. 10, 1876.)

you before, not the nation only, but the world, with accusations which I am sure he knew to be utterly false, almost as well as you do, if not quite. And he has made them for a price, with the design to stain and blur the history of the South and the War, and thus to draw off the attention, if he can, of posterity as well as the present voter from the truth. You alone can give such a reply as the whole world will listen to, and learn the truth from you and rectify history, calm and dignified and elevated, as your style always is. Your statement of the truth, without retaliation, will satisfy every body, and impress itself indelibly upon them. You were I believe in prison and under torture when Wirz was executed, failing to suborn him to swear falsely,—if there had been any other testimony, which could have been used, the effort at subornation proves that it would have been resorted to without doubt, and you would not have been discharged without trial or even accusation. Mr. Blaine is too smart not to know this, and yet he has lost his cunning in forgetting this. I beg you again most earnestly to reply to him by a simple statement of all the facts so far as you are concerned. His is not an ordinary accusation of an unprincipled demagogue, for although he is an unprincipled demagogue, he has for years filled the high office of Speaker of the House of Representatives of the United States, and aspires to the Presidency, and to that house, he has dared to make his accusation, and thus secured for himself the World for an audience and Nations, as the spectators of his infamy. Thomas the dynamite will not be more notorious hereafter than Blaine the inprincipled slanderer. He has not merely slandered you, but the entire South, which sustained you. Do not permit him to escape unwhipt of justice.

Imogen and myself desire to send to Maggie our love and congratulations. Yours ever truly

JAMES LYONS.

endorsed:
Jas. Lyons; on Blaine; ansd. 27th Jany. '76.

From James Lyons to Jefferson Davis.
(From Confederate Memorial Hall.)

Richmond, January 14, 1876.

Hon. Jefferson Davis:

My Dear Mr. Davis: I beg you to answer Blaine. In the hope of exciting new hostility among the Northern people against the white people of the South, already abased and downtrodden

as no other Christian people are, he has assailed you, not before the nation only, but the world, with accusations which I am sure he knew to be utterly false, almost as well as you do, if not quite, expecting thereby to mislead the white men of the North and the negroes of the South into voting for him. He blurs and stains the history of the South and the war for the purpose of drawing off, if he can, the attention of the present voter, as well as posterity, from the truth; and the aggressions and vices of his own party. You alone can give such a reply to him as the whole world, which is familiar with your name and character, will listen to, learn the truth from, and rectify the history. Calm and dignified as your style always is, your statement, without retaliation, will satisfy every one, and impress itself indelibly. You were, I believe, in prison and under torture when Wirz was executed. Failing to suborn him to swear falsely, if other testimony could have been had, that effort at subornation proves beyond a doubt that it would have been resorted to; and you would not have been discharged without trial, or even accusation. Mr. Blaine is too smart not to know this, and yet he lost his cunning in forgetting it.

I beg you again, most earnestly, to reply to him by a simple statement of the facts, so far as you are concerned. His is not the ordinary accusation of an unprincipled demagogue; for, although he is a demagogue who, like all of his class, has no principles beyond those of personal and party success and aggrandizement, he has for years filled the high office of Speaker of the House of Representatives of the United States, and aspires to the Presidency of this great Republic; and before that House of Representatives he has dared to make his defamatory accusations, and thus secured for himself the world for an audience, and the nations as spectators of his reckless folly and injustice. Thomas, the dynamite destroyer of the human body and its life, will not be more notorious hereafter than Blaine, the attempted assassin of the good name and reputation of one-half of the people of his own country, striking under the great shield and constitutional protection of the august body which secures him from all responsibility, except to the moral sense of mankind.

It is painful to believe that the temper of the North is so unjust to the South as that such an exhibition can be gratifying to it; and still more painful is it to see that by such means the first office in the only popular Government in the world can be sought and possibly obtained.

With great respect, very truly yours,

JAMES LYONS.

Jefferson Davis to James Lyons.

(From Confederate Memorial Hall.)

New Orleans, January 27, 1876.

Hon. James Lyons:

My Dear Friend: Your very kind letter of the 14th instant was forwarded from Memphis, and has been received at this place.

I have been so long the object of malignant slander and the subject of unscrupulous falsehood by partisans of the class of Mr. Blaine, that though I cannot say it has become to me matter of indifference, it has ceased to excite my surprise even in this instance, when it reaches the extremity of accusing me of cruelty to prisoners.

What matters to one whose object is personal and party advantage, that the records, both Federal and Confederate, disprove the charge; that the country is full of witnesses who bear oral testimony against it, and that the effort to revive the bitter animosities of the war obstructs the progress toward the reconciliation of the sections. It is enough for him if his self-seeking purpose be promoted. It would, however, seem probable that such expectations must be disappointed, for only those who are wilfully blind can fail to see in the circumstances of the case the fallacy of Mr. Blaine's statements. The published fact of an attempt to suborn Wirz, when under sentence of death, by promisng him a pardon if he would criminate me in regard to the Andersonville prisoners, is conclusive as to the wish of the Government to make such charge against me, and the failure to do so shows that nothing could be found to sustain it. May we not say the evidence of my innocence was such that Holt and Conover, with their trained band of suborned witnesses, dared not make against me this charge—the same which Wirz for his life would not make, but which Blaine for the presidential nomination has made?

Now let us review the leading facts of this case. The report of the Confederate commissioner for exchange of prisoners shows how persistent and liberal were our efforts to secure the relief of captives. Failing in those attempts, I instructed General R. E. Lee to go under flag of truce and seek an interview with General Grant, to represent to him the suffering and death of Federal prisoners held by us, to explain the causes which were beyond our control, and to urge in the name of humanity the observance of the cartel for the exchange of prisoners. To

this, as to all previous appeals, a deaf ear was turned. I will not attempt, from memory, to write the report made to me of the incidents of this mission. Lee no longer lives to defend the cause and country he loved so well and served so efficiently; but General Grant cannot fail to remember so extraordinary a visit, and his objections to executing the cartel are well known to the public. But whoever else may choose to forget my efforts in this regard, the prisoners at Andersonville, and the delegates I permitted them to send to President Lincoln to plead for the resumption of exchange of prisoners, cannot fail to remember how willing I was to restore them to their homes, and to the comforts of which they were in need, provided the imprisoned soldiers of the Confederacy should be in like manner released and returned to us.

This foul accusation, though directed specially against me, was no doubt intended, and naturally must be, the arraignment of the South, by whose authority and in whose behalf my deeds were done. It may be presumed that the feelings and the habits of the Southern soldiers were understood by me; and in that connection any fair mind would perceive in my congratulatory orders to the army after a victory, in which the troops were most commended for their tenderness and generosity to the wounded and other captives, as well the instincts of the person who issued the order, as the knightly temper of the soldiers to whom it was addressed. It is admitted that the prisoners in our hands were not as well provided for as we would; but it is claimed that we did as well for them as we could. Can the other side say as much? To the bold allegations of ill treatment of prisoners by our side, and humane treatment and adequate supplies by our opponents, it is only necessary to offer two facts: First, it appears from the reports of the United States War Department that though we had 60,000 more Federal prisoners than they had of Confederates, 6,000 more of Confederates died in Northern prisons than died of Federals in Southern prisons; second, the want and suffering in Northern prisons caused me to ask for permission to send out cotton and buy supplies for them. The request was granted, but only on condition that the cotton should be sent to New York and the supplies be bought there. General Beale, now of St. Louis, was authorized to purchase and distribute the needful supplies.

Our sympathy rose with the occasion and responded to its demands—not waiting for ten years, then to vaunt itself, when it could serve no good purpose to the sufferers.

Under the mellowing influence of time, and occasional demon-

strations at the North, of a desire for the restoration of peace and good will, the Southern people have forgotten much, have forgiven much of the wrongs they bore; if it be less so among their invaders, it is but another example of the rule that the wrongdoer is less able to forgive than he who has suffered causeless wrong. It is not, however, generally among those who braved the hazards of battle that unrelenting vindictiveness is to be found. The brave are generous and gentle; it is the skulkers of the fight, the Blaines, who display their flag on an untented field. They made no sacrifice to prevent the separation of the States—why should they be expected to promote the confidence and good-will essential to their union?

When closely confined at Fortress Monroe, I was solicited to add my name to those of many esteemed gentlemen who had signed a petition for my pardon, and an assurance was given that on my doing so, the President would order my liberation. Confident of the justice of our cause, and the rectitude of my own conduct, I declined to sign the petition, and remained subject to the inexcusable privations and tortures which Dr. Craven has but faintly described. When, after two years of close confinement, I was admitted to bail, as often as required I appeared for trial under the indictment found against me, but in which Mr. Blaine's fictions do not appear. The indictment was finally quashed on no application of mine; nor have I ever evaded or avoided a trial upon any charge the General Government might choose to bring against me, and have no view of the future which makes it desirable to me to be included in an amnesty bill. Viewed in the abstract or as a general question, I would be glad to see the repeal of all laws inflicting the penalty of political disabilities on classes of the people, that it might, as prescribed by the Constitution, be left to the courts to hear and decide causes, and to affix penalties according to pre-existing legislation. The discrimination made against our people is unjust and impolitic, if the fact be equality and the purpose be fraternity among the citizens of the United States. Conviction and sentence without a hearing, without jurisdiction, and affixing penalties by *ex post facto* legislation, are part of the proceeding which had its appropriate end in the assumption by Congress of the executive function of granting pardons. To remove political disabilities which there was not legal power to impose, was not an act of so much grace as to form a plausible pretext for the reckless diatribe of Mr. Blaine.

The papers preserved by Dr. Stevenson happily furnished full proof of the causes of disease and death at Andersonville.

They are now, I believe, in Richmond, and it is to be hoped their publication will not be much longer delayed. I have no taste for recrimination, though the sad recitals made by our soldiers returned from Northern prisons can never be forgotten. And you will remember the excitement those produced, and the censorious publications which were uttered against me because I would not visit on the helpless prisoners in our hands such barbarities as, according to reports, had been inflicted upon our men. Imprisonment is a hard lot at the best, and prisoners are prone to exaggerate their sufferings, and such was probably the case on both sides. But we did not seek by reports of committees, with photographic illustrations, to inflame the passions of our people. How was it with our enemy? Let one example suffice. You may remember a published report of committee of the United States Congress which was sent to Annapolis to visit some exchanged prisoners, and which had appended to it the photographs of some emaciated subjects which were offered as samples of prisoners returned from the South. When a copy of that report was received I sent it to Colonel Ould, commissioner for the exchange of prisoners, and learned, as I anticipated, that the photographs, as far as they could be identified, had been taken from men who were in our hospital when they were liberated for exchange, and whom the hospital surgeon regarded as convalescent, but too weak to be removed with safety to themselves. The anxiety of the prisoners to be sent to their homes had prevailed over the objections of the surgeon. But this is not all, for I have recently learned from a priest who was then at Annapolis, that the most wretched looking of these photographs was taken from a man who had never been a prisoner, but who had been left on the "sick list" at Annapolis when the command to which he was attached had passed that place on its southward march.

Whatever may be said in extenuation of such imposture because of the exigencies of war, there can be no such excuse now for the attempts of Mr. Blaine, by gross misrepresentation and slanderous accusation, to revive the worst passions of the war, and it is to be hoped that, much as the event is to be regretted, it will have the good effect of evoking truthful statements in regard to this little understood subject from men who would have preferred to leave their sorrowful story untold if the subject could have been allowed peacefully to sink into oblivion.

Mutual respect is needful for the common interest, is essential to a friendly union, and when slander is promulgated from high

places, the public welfare demands that truth should strip falsehood of its power for evil.

I am, respectfully and truly, your friend,

JEFFERSON DAVIS

Luke P. Blackburn[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Louisville, Ky., Jany. 15th, 1876.

My Honl. friend,

I hope you will not consider me officious or arrogant in volunteering advice to one so far my superior; but you well know that you have not now a better friend than I am. I am anxious that you and the noble cause which you so fearlessly, and patriotically espoused, should go down to history clear, and correct, not bleared and mutilated by the mendacious touch of the impious Yankee. Let me respectfully ask of you, whether this is not a most opportune time for you to write an open letter to Mr. Knott, chairman, of the committee before whom the amnesty bill has been, declining to be the recipient of any favors from so infamous a source. As matters now stand, you are seemingly forced into the false position of a mendicant, asking favors of them. It would give you the opportunity of placing yourself, and cause, upon a basis, that would win the respect and admiration of the world.

Hill has already corrected history; you now, review and endorse yourself.

I think by persuing this course, and writing such a letter as you would certainly do, draw at once every Southern heart toward you by hooks of steel; remembering the Negro Rainey, of South Carolina, who voted for the bill, by taking high and

[1] Blackburn Luke Pryor (1816-1887), a physician, was born in Woodford County, Ky., June 16, 1816, was educated at home, studied medicine and graduated M. D. in 1834, at Transylvania University, Ky. He settled in Woodford County, and showed great courage in the treatment of a cholera epidemic. In 1843 he was elected to the State legislature, and three years later removed to Mississippi. He was health officer at Natchez during the yellow fever of 1848 and 1854, and made a reputation for courage and efficiency. During the civil war, Dr. Blackburn was Surgeon General of Sterling Price's command. In 1867 he retired to a plantation in Arkansas, where he remained until 1873, when he returned to Kentucky. During the years 1873-1878 he rendered great service in combatting yellow fever in the Mississippi Valley. He was elected Governor of Kentucky and served from 1879 to 1883. During his term he gave particular attention to prison reforms and sanitary regulations. He died at Frankfort, Ky., September 14, 1887.

lofty ground as you would do; your position will be the most honored and respected of any man living. "More true pride Marcellus exile feels than Caesar with a Senate at his heels"

You have all to gain, nothing to loose, even if you wished pardon. This course would soonest secure it.

With kind regards for Mrs. Davis and family, I am faithfully

Your true friend,

The Honl. Jefferson Davis, LUKE P. BLACKBURN.
Memphis, Tenn.

endorsed:
Dr. Blackburn; ansd. from N. O. 31st Jany. 1876; copy of letter to Mr. Knott enclosed.

Jefferson Davis to J. Proctor Knott, Chairman.

(Letter-press Copy.)

New Orleans, La., 22d Jany. 1876.

Honble. Mr. Knott,
Chrm. Com. on Amnesty etc.

Sir:

As it appears from the published proceedings of Congress that the passage of a general amnesty bill is obstructed by the objection to including me in its provisions, I write to express my regret that any of my compatriots should suffer by identification with me, and to request that you will not allow the objection to prevent others from enjoying whatever benefits may be accorded to them, on the condition of my exclusion.

Further it may be proper to state that I have no claim to pardon, not having in any wise repented, or changed the convictions on which my political course was founded, as well before, as during, and since the war between the States.

Respectfully yours
JEFFERSON DAVIS.

(Letter-press copy of letter from Jefferson Davis to Mr. Knott.)

Private.

22d Jany. '76

My dear Sir,

Within I send to you as Chrm. of the Com. a letter which expresses my feeling in regard to the proposition to exclude me from amnesty.

You are (at) liberty to publish my letter if you think it well to do so, or to consider it private if your judgement shall so decide.

Truly yours,

JEFFERSON DAVIS.

D. H. Maury to Jefferson Davis.

(From Mississippi Department of Archives and History.)

Richmond, Jan. 19, 1876

Hon Jefferson Davis

My dear Sir

I take the liberty of inclosing this letter published in the Whig of today—and of asking you as to its genuineness—if not genuine it bears internal evidences of being so.

If you received and replied to it, your reply will be of very great interest and value in History. Can we procure it to file with our papers?

The anniversary of Gen Lee's birth has been observed here today. We had a large meeting at 12, M. and an oration. The Governor presided. The Legislature adjourned and attended the meeting. We shall have the pleasure to send you our first publication of historical papers in a day or two.

With great respect your friend

D. H. MAURY.

Endorsement in Jefferson Davis' handwriting.

Maj. Walthall

If the letter be genuine, the answer will probably be found in my letter book. I think Genl. Maury would be a valuable correspondent for you, and if you choose to answer his letter I will be obliged thereby——

Yours

25th Jany. 1876 J DAVIS

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

New Orleans

24th Jany. 1876

My dear Sir,

I have received yours with enclosure from Appletons, which is returned. I do not anticipate any such feeling as he expects

to result from persecution. In our section it might, probably would be so; but Mr. Blaine knew his own people.

Also I enclose a letter from Mr. Turnbull which you will know better how to answer (than) I do. He had no assurance beyond a promise to wait for him, say two or three months to make a definite proposition to you. As for correcting rumors, he must know if commenced what it would lead to. We are in no condition to give a publisher any promise for such speedy completion as both these gentlemen wish. With them the idea is a favorable market, with us the hope is to vindicate our cause and people.

I shall probably be compelled to return to Memphis, if so shall leave, say, on Wednesday evening.

Ever truly your friend

JEFFERSON DAVIS

Geo. Shea[1] *to Jefferson Davis.*

(From Confederate Museum.)

205 West 46th Street,
New York.
January 24th 1876.

Dear Sir,

This morning's Tribune publishes a letter from me relating to yourself. I have not consulted with Mr. O'Conor, but sent it out on my own responsibility. That letter will, perhaps, disclose to even you for the first time the real purpose of my visit to Canada in January 1866. Your nephew, Genl. J. R. Davis accompanied me. I have always since then had a vague notion that you might have inferred my motive was the gratification of mere curiosity in looking through the M.S.S. books there shown to me; and that when I asked Miss Howell to send me copies of specified documents from those books it was in further gratification of the same idle end.

In writing the letter I have fulfilled a duty which the late Vice-President Wilson frequently urged upon me—that is, fulfilled it in this one phase. There are others not uninteresting,

[1] Shea, George (1826-1895), a lawyer, was born in Cork, Ireland, June 10, 1826, his father, John Augustus Shea, emigrating to the United States in 1827. He studied law and attained distinction at the New York bar, for many years being chief justice of the marine court of New York. He was associate counsel with Charles O'Conor in defending Jefferson Davis. He wrote The Life and Epoch of Alexander Hamilton, 470 pp., Boston, 1879; and The Nature and Form of the American Government Founded on the Christian Religion, 82 pp., Boston, 1882. He died at his home in New York, January 15, 1895.

but not specially concerning yourself. The debates, or rather wild-talk, upon the amnesty Bill in the House of Representatives made the proper occasion. I hope that I have done a discreet thing—I know that my intention is to serve truth and justice, and is without the frailty of personal or other display.

I hope you and yours are well. Pray present my regards to Mrs. Davis, Miss Davis and your son Jefferson; and wishing you and them all a Happier New-Year than some which have fallen on your way in this life.

I am, as usual, with esteem and respect,

Yours faithfully

To the
Hon: Jefferson Davis.

(Signed) Geo: Shea

J. Proctor Knott[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Washington, D. C. January 27, 1876.

Dear Sir:

Your favor of the 22nd inst., so perfectly consistent with the genuine dignity and manliness illustrated by your whole career public and private has just reached me, and if you knew me personally it would perhaps be unnecessary for me to assure you that such an exhibition of a chivalrous self abnegation on your part, while it has increased if possible my admiration of your character, has also very greatly increased my reluctance to consent to the passage of any measure of amnesty from the benefits of which you are to be made the solitary exception.

I think I can imagine something of the contempt with which you must regard the malignant and brutal attacks recently made upon you in the House, for of course every intelligent mind in the country understands perfectly well that the objection to embracing you in the provisions of the bill there pending was intended merely to pander to the meanest passions of the rabble, and to furnish materials for the miserable scoundrelly demagogues in ensuing campaigns for the Presidency, and it

[1] Knott, James Proctor (1830-1911), a lawyer, was born near Lebanon, Ky., August 29, 1830, was educated at home, studied law and in 1850 settled in Missouri. He was elected to the Missouri legislature in 1857, and from 1859 to 1862 was attorney general of Missouri. Returning to Kentucky in 1862, he represented that State in Congress from March 4, 1867, to March 3, 1871, and from March 4, 1875, to March 3, 1883; was governor of the State, 1883-1887, and a member of the constitutional convention of 1891. Thereafter for many years he was professor of law, and dean of the Law School of Centre College, Ky. He died at Lebanon, June 18, 1911.

occurred to me that a letter from you,—such a one as no other man within my knowledge *can* write,—compromising no particle of the dignified self respect which has always distinguished you—disappointing the petty malignity of your ignoble traducers by refusing to elevate their meanness to the level of your resentment, deprecating any disturbance of the harmony that should exist every where under the same government, and asking your friends not to insist upon a proposition to place *you* upon the same plane with every other citizen, if by doing so they might impede the return of good feeling between sections or jeopardize the interests of your compatriots, would not only neutralize the venom of those who have so vilely and wantonly attacked you but make the contemptible miscreants hide their heads in shame. I thought that such a letter read from the clerk's desk would compel the radicals not only to consent to, but insist upon your sharing all the benefits of the bill, for it seemed to me that even the basest among them would scarcely have the hardihood to face any thing like a decent constituency after refusing to do so under such circumstances. As I was a total stranger to you however I could not take the liberty of even offering such a suggestion, and if my having alluded to such an opinion now should appear in anywise indelicate or unwarranted, I beg you to consider that I write under the impulse of the sincerest friendship and with an ardent desire to promote your own interests, which I assure you I shall not lose sight of for a moment in the consideration of the bill now before the Committee on the Judiciary of which I am Chairman. I think the bill will finally pass *including yourself*, but I do not think it advisable to bring it before the house for some days yet.

Very respectfully,

J. Proctor Knott.

Hon. Jefferson Davis.
endorsed:
J. Proctor Knott; Jan. 27th 1876.

W. S. Winder to Jefferson Davis.

(From Confederate Memorial Hall.)

31 North Calvert St. Baltimore,
Jan. 28th/76

Hon. Jefferson Davis,

My dear Sir,

In my last letter, which I had the honour of addressing to you a few weeks since, I informed you that I had made applica-

tion to the Secretary of War for copies of certain papers and documents now in his custody, among the "Confederate Archives." He having informed me in a previous letter and verbally, that he would furnish me with copies of such papers as wanted if he could "properly do so." I have within the week received two letters from him, and you will see from the last one that he has denied my request. I have no doubt that this was done after consultation; it is strange that (no not strange) that Mr. Blaine and others should be allowed to use and abuse the records to suit their purpose, and a request such as mine should be denied, but I am not disheartened, my Faith in a just and ever merciful God will yet open a path through which the truth may pass, and the memory of my dear Father shall be vindicated.

I sent you last week the Richmond Dispatch, containing a letter from Gen. Early, which I hope reached you.

If not too late, permit me to wish you a very happy New Year, and may you be spared to enjoy many more.

Very truly yours,
W. S. WINDER

"Copy" First letter.

Official. War Department, Washington City
January 21st, 1876.

W. S. Winder Esq.
31 North Calvert Street, Baltimore, Md.

My dear Sir,

Your last letter was received on my return from the West, a day or two ago, and others from you previously.

The papers referred to by you, are now being examined, and I shall reply as soon as possible to your communication.

Yours very truly,
W. W. BELKNAP,
Secretary of War.

"Copy" Second letter.

War Department, Washington City
January 25th, 1876.

W. S. Winder Esq.
Baltimore, Md.

Sir:

In reply to your notes of the 19th instant, and previous dates, asking copies of certain papers relating to your late Father, I have to say that I have carefully examined the matter

and with every disposition to oblige you. But the reports and correspondence are voluminous and contain much that is not in accord with the object you have in view. I am constrained therefore to make the official decision that to comply with your request cannot "properly be done," inasmuch as the publication of a certain portion only of the papers would not afford the material for an impartial judgment.

Very respectfully,
Your obedient servant,
WM. W. BELKNAP,
Secretary of War.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Memphis, Tenn., 8th Feby. 1876

Maj. W. T. Walthall
My dear Sir,

I send to you a letter from Turnbull which you will oblige me by reading and giving me your opinion as to the subject matter.

I do not know enough of Turnbull to enable me to write confidently of him in a business point of view, please favor me with such knowledge as you have. Of course in this as in other like things what you write will be considered strictly confidential——

As ever yours
faithfully
JEFFERSON DAVIS

Jefferson Davis to Crafts J. Wright.

(From Davis Papers, Library of Congress.)

Memphis, Tenn., 12th Feb., 1876.

My Dear Crafts:—

Your kind letter of the 20th ult. has been received on my return to this place.

I wish circumstances permitted me to give you orally, rather than in this less satisfactory manner, the information you desire. So far, however, as the points are not sufficiently explained, let me ask of you to enquire of me further. Before proceeding to the proposed task, it is proper that you should know why I did

not respond to your invitation to visit you last fall. I felt that the tide of unreasoning prejudice against me, in your section, was too strong to be resisted by you, and that my presence might excite to unseemly expressions, which we should both regret, you probably more than myself. There is no good reason why this explanation should not have been given at the time. The portion of the people of the North who are the least informed as to the events immediately preceding the war between the states, have naturally fallen into the erroneous belief that I instigated and precipitated it. Demagogues, who know better, have found it easier to inflame and keep alive the passions of the war by personifying the idea, and thus and therefore I have been the object against whom revilings have been mainly directed. Though I served on the last committee, which the U. S. senate instituted to harmonize the sections, and stop the progress of secession; and was named by Mr. Douglass as one who in that committee labored for pacification; when he in open senate arraigned the "republican" senators for failure to meet the offers of concession, and the efforts to prevent separation; and though when called from my home by the provisional congress of the confederacy, to preside over the newly founded Government, one of the first acts of my administration was to send Commissioners to the U. S. Government to seek by an amicable arrangement to adjust all questions arising out of the secession of certain states; yet it is ever and anon reiterated, that I left the U. S. Govt. to be made president of the Confederate Govt. and engaged in war to injure the north. That I wished to be president of the confederacy is untrue, has been repeatedly contradicted by those who best knew my wishes, and should have been inferred from the fact that I went to my home in Missi. instead of to the seat of Govt. at Montgomery, Ala. One must have known much less than I did of the evils of War, much less than I did of the want of preparation at the south, and the existence of the material of war at the north, to be willing to try the dread ordeal of battle, if it could be avoided.

Mississippi was my sovereign. When she notified me that she had withdrawn from the union my right to sit in the U. S. Senate terminated; and my duty as a loyal citizen required of me the best efforts I could make to uphold and defend the state to which my allegiance was due. Such was my conviction at that time; and reflection on the history of the formation of the U. S. Govt. has but confirmed the conviction. Had selfish considerations controlled my course, they would not have led me to sacrifice the results of a life's labor, among which were non-trans-

ferable honors, one under the flag, and in the councils of the U. S.

By early education, by years of service in the army, by other years spent in administering the U. S. War Dept. I had learned the usages of War, as observed amongst the most civilized nations; and to you my classmate and early friend, I trust no proof can be needed that my instincts would lead me to give the most humane and generous construction to those usages. But if an enemy violates the usages of War, and employs his troops in raids for pillage, marked by arson, and great outrages on defenceless old men, the women, and the children, such troops so sink the character of soldiers as properly to be treated as robbers, incendiaries, and murderers.

I have not the proclamations issued by me, but I am fully confident that if the whole of anyone be read, which denies the benefits of the usages of War, it will be found that the application was special, and the reason for it distinctly set forth. And further it will I believe be found that in no such case was extreme penalty ever inflicted.

In the matter of the officers commanding negro troops, and of negroes captured in War, you must put yourself in our place fully to appreciate our necessities and our motives. Nearly all our white male population, able to bear arms, were in the Army, our country was invaded, a large negro population remained at their homes in the presence of the Mothers, Wives, the Daughters, and the little children of the soldiers in the fields. Under these circumstances white men were commissioned to seduce the negroes from their homes, to incite servile insurrection, with all the horrors in view, which history teaches us was to be apprehended from such a condition of things. Now let me ask of you, as a Son, a Husband, a Father, what sort of welcome would you have given to such visitors?

Next let us consider the question of the exchange of negro prisoners. The obligation to restore a fugitive from service or labor was a part of the Constitution of the Confederacy, as of the U. S.; That obligation was not nullified by the fugitive's contract to serve somebody else, and the claim of the master for the restoration of the fugitive, could not be answered by citing the cartel; which be it remembered, was not entered into for any such purpose as negro emancipation.

In that connection you may remember that Gen. B. F. Butler, who was in command at fortress Monroe at the time of those dissensions in relation to the Exchange of Negroes, has been reported as saying in a public speech that he had been ordered

by Secretary Stanton to urge the negro question to complicate, and prevent the Exchange of Prisoners. Had the cartel been fairly executed according to its terms, no Prisoner of War would have been more than a few days in confinement. Had the repeated efforts I caused to be made, for the renewal of exchanges, been met by such regard for the prisoners as is manifested now, when it can avail nothing; the lives of many on both sides might have been saved. When other means had proved unavailing I sent Gen. Lee to have an interview with Gen. Grant, and to represent to him that the disease and mortality among the prisoners at Andersonville was such, as to require on the score of humanity that they should be exchanged. To inform him that we had only corn meal to issue in lieu of wheat flour, and that food, together with the climate, to both of which the prisoners were unaccustomed, caused diseases for which the proper remedies were not within our reach. If you have not read the report of Col. Ould, our commissioner for exchanges, let me ask you to do so. It shows how anxious we were to keep up prompt and regular exchange of Prisoners; and how coldly our advances were repulsed.

Of Gen. Winder as an instructor of tactics when we were cadets, I had no particular knowledge; my acquaintance with him in the old army was mainly from the reports, and my estimate of him thus formed was that he was a gallant man, and a good officer. In Richmond I saw more of him than before, he was in charge of the police of the city, and I thought, though strict in the discharge of his duty, was mild rather than severe; and no respector of persons. For this latter cause, I thought he received abuse. Though never intimate with Gen. Winder, and having little other than official intercourse with him, I thought, and now think, he was utterly incapable of cruelty to any person helplessly in his power. The report of Gen. Chandler, so much relied on, was never brought to my notice, nor did I know of its existence, until within a year Gen. Chilton wrote to me to inform [Break in letter here] published letter not only shows that the report was not submitted to me, but why it was not, and also that all was done under the orders of the secretary of war which could be done with the means at our command to correct existing evils.

It would be impossible to frame an accusation against me, more absolutely and unqualifiedly false than that which imputes to me cruelty to prisoners. A Richmond paper during the war habitually assailed me for undue clemency and care for them; and that misnamed "Historian," Pollard, in a book written

after the war, accused me of having favored prisoners, in the hope that it might in the event of our failure serve to shield me.

No officer would have refused to send to me any application, or complaint of a prisoner. Three instances of the kind occurred at Richmond, in two of them the application was granted, in the other the complaint was redressed, to the prisoner's satisfaction. Did you ever read the life of Black Hawk? If so you may remember that he mentioned gratefully the courtesy with which I treated him, when he was a prisoner under my charge, an Indian would not be more apt to excite sympathy, and should not be more willing to acknowledge having received it, than one of our own people.

JEFFERSON DAVIS.

Since writing I have learned that the personal interview was not obtained, and that the mission was limited to correspondence.

J. D.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Memphis Tenn.

Maj. W. T. Walthall, Feb. 19th 1876

My dear Sir,

Yours of the 16inst has been received. Mr Turnbull did not contemplate obtaining an international copyright law but only an association of Authors & Publishers for the purpose of obtaining certain copy rights in England and America simultaneously, and thus the protection to authors to that extent which international legislation would give. If this could be done to any considerable extent, the scheme becomes magnificent in its proportions as well as its phases.

I do not see how it would hasten the execution of the work on which we have conversed though it might bring in some additional information and an occasional auxiliary so as on the whole not to retard it.

I expect to be in New Orleans at the Emigration Convention and would be glad to meet you there, and to converse fully with you on many subjects which have been engaging the minds of us both. Believe me very sincerely

your friend.

JEFFERSON DAVIS.

Jefferson Davis to Manly Tello.

(From Confederate Memorial Hall.)

Private.

Memphis, Tenn.
21st Feb. 1876.

My dear Sir,

Your kind letter of the 11th Inst. was forwarded from New Orleans and received here to-day. I reply generally now, but will send your letter and the enclosed slip to a friend in Richmond, Va., with a request that he send to you specific information on the points indicated. He will there have access to records not within my reach, and testimony from any other source will serve you better than if from me.

We have fallen upon an evil hour, "policy" causing some to shrink from telling the truth, others to seek promotion by inflaming the passions of a section, and when many, very many, seem to be given over to believe a lie.

Your task is doubly difficult,—that of defending a religion which is the objective point of unchristian assault, and a political creed against which is directed the bitterest hate of the majority section. The conjunction of the two was seen in Mr. Blaine's speech. He said he had been studying the history of cruelties. That his studies had been for other uses, than the reviling of the South, and of myself especially, is inferrable from the fact that all his cases were drawn from persons, or events connected in the popular mind with the church of Rome. Duke of Alva, night of St. Bartholomew, the Innocents. Was it for the restoration of harmony among the people of the states: was it for the increase and preservation of christian love and charity, that he labored so earnestly? Enough of him. Now as to the point at issue. That I neither saw nor heard of the quoted report of Col. Chandler, has been proved by the published letter of Adjt. Genl. R. H. Chilton, by whom the report was received, and submitted to the Secty. of War,—see Daily Times, Columbus, Ga., 30th of Sept. 1875. That Col. Chandler knew his report had never been laid before me, see his testimony before the court martial which tried Mrs Surratt. Unless it has been suppressed, there will be found his answer to the inquiry whether it was possible so important a report should not have been brought to the notice of the President. He replied that *he had every reason to know it was not.* No explanation was asked, for obvious reasons.

One of the characteristics of falsehood is inconsistency, so it appears in the statement about an order for Winder's removal. This is made to appear as an order to check his brutality at Andersonville, and to have countermanded by me on his personal application. But I never saw Winder after he went to Andersonville, and the Secty. of War, Mr. Seddon, in a recently published letter, bears testimony to Winder's kindness to prisoners before he went there, and certainly never reported to me any unkindness afterwards. His letter indicated an opposite belief. As soon as the report of Col. Chandler was received at the War Office, Adjt. Genl. Chilton states, that he received carte blanche to correct neglects, and that he did all which in our embarrassed circumstances, was possible to better the condition of the prisoners; who were left by the cold indifference of their Govt. to linger in captivity.

Our people have so long remained silent, and the Northern people have written and spoken so much, that it has now come to be regarded as an offense to refer to the cruelties endured by our men in northern prisons, or to complain of the robberies and arson of which our Enemy was wont to boast. If we are ever to have the respect of our countrymen of the North, at least the good among them, it must be after they know the truth, the whole truth.

The only complaint I remember to have heard against Winder was on account of the number of Baltimoreans he had about him.

His inflexibility in the discharge of his duty was often the real cause of hostility by those who felt the rules should bend for them. That species of criticism was the more apt to reach me because it would be made by persons having more intimate relations with me than those existing between Genl. Winder and myself, of whom I knew very little otherwise than officially.

I was much abused for undue clemency to prisoners, particularly just after some of our men returned with recitals of wanton torture, endured while in captivity. Would that I could look back on my past life in all things as approvingly as in my treatment of prisoners of War.

With best wishes and most friendly remembrances,

Yours

JEFFERSON DAVIS.

Manly Tello.

P.S. My address will be 33 Camp Street, New Orleans, La.

J. D.

Address
of the
Hon. Jefferson Davis.[1]

Ladies and Gentlemen:

Veterans of the war with Mexico, my friends and fellow soldiers, it is with no common emotions that I look upon you, the few survivors of that gallant host, who in their early manhood surrendered their ease and personal interest, to serve their country's need. And it is sad, while reviving the memories of your glorious career, that existing circumstances should force us to remember how soon the gratitude of your country, which with loud acclaim welcomed your return from a foreign war, has grown so cold that the survivors are compelled by private effort to raise funds for the relief of your decayed and unfortunate comrades. But there is a consolation in feeling that he who treads the path of duty for duty's sake walks under a shield which the slings and arrows of adversity cannot destroy, and has in the conscious rectitude of his own heart a balm for the worst wounds the world can inflict. There was a time when to be a soldier in the war with Mexico was a passport throughout the length and breadth of the land. Why is it then these veterans are without the poor reward of a pension? It is not my purpose to review the course of the Government. It is not mine to arouse the public to censure. It is mine, however, as a friend and comrade of these men, to proclaim aloud the injustice under which they suffer, and to urge the yet possible reparation. I would, my friends, if time and physical ability had sufficed, out of the respect which I bear you and the cause which I here represent, have prepared an address for this occasion. Circumstances did not permit me to do so, but I have not failed, at least, to show my consideration by preparing some brief notes, and for the rest must rely on the inspiration of your presence.

It is one of the characteristics of the human mind to dwell rather upon the pleasant than the painful, and in nothing is this so true as in the soldier's memory. In no instance as far as my acquaintance goes is there any condition of life where the path so blooms with the flowers of affection and fidelity as that of the soldier, marked though it be with privation and danger, with disease and death. And this Association for the benefit of those

[1] On the subject of the War with Mexico and its results delivered before the Louisiana associated veterans of the War with Mexico at Exposition Hall, New Orleans, Tuesday, March 7, 1876.

who have fallen into misfortune sufficiently attests the truth of the proposition I make, and adds to the already full measure of your claim to regard.

The theme which you have presented for my consideration this evening does not suggest the discussion of any particular campaign or battle, but a general view of the moral and material results of the war. And therefore I shall not attempt to describe any battle; shall not enter into those scenes of carnage, crowned as they were with the glory of American arms, in the war with Mexico; but shall speak to you first of the moral elements, and of the material results afterwards.

The long peace which had ensured after the war of 1812 well might have suggested the question had the military ardor which shone so brightly in the trials of that period grown cold, had the pursuit of gain and the enjoyment of peaceful repose disqualified the people for the sacrifices of war, eating into the popular heart and consuming its martial spirit, as rust destroys the sword that hangs unused in the scabbard.

When the Mexicans crossed the Rio Grande to invade the State of Texas, and in large force attacked the little band commanded by that dauntless soldier, General Zachary Taylor, the country was startled by the cry that American blood had been shed on American soil; then the question whether the martial spirit of our sires had descended to their sons was answered. From every town and hamlet, from every hill and valley, came loud and clear the soldier's answer, *here*. Volunteers from Louisiana and Texas, in advance of any requisition by the United States Government, rushed to the aid of their countrymen, who it was supposed would be unable for more than a very brief period to resist the large army sent to crush them.

Soon, however, further intelligence was received to the effect that General Taylor after constructing a field work, now famous as "Fort Brown," had left a small garrison in it and had gone to Point Isabel with the balance of his force to get supplies to enable him to hold the fortification, if besieged. The enemy took position to prevent his return, and commenced an attack upon the field work. Under these circumstances, a council of war was held; the prevailing opinion was that it was impracticable to rejoin the garrison, and better to fall back to Point Isabel, intrench and wait for reinforcements. It was on that occasion he made the peculiar and expressive answer "I'll go to the Fort or stay in my shoes." An answer similar in spirit to that which, on a more memorable occasion, at the close of the second day of the battle of Buena Vista, he gave to the suggestion that he should

withdraw his inadequate force to a narrow pass beyond the City of Saltillo, where our hospitals were established—the chivalric answer was, "My wounded are behind me, and I will never pass them alive."

The garrison of Fort Brown with heroic resolution and ingeniously improvised means of defence, resisted the attack; the division in the field advanced, won the two battles of the Rio Grande, relieved the garrison, electrified our people through the length and breadth of the land, and for that war set the seal of invincibility on American arms. Now was to be made the first experiment by the United States as to their capacity successfully to wage a foreign war. From the nature of our Government its policy is peace, indeed it was reasonably to be doubted whether without the force of outward pressure the States composing the Union could be efficiently wielded as a military power. The origin of the war with Mexico was traceable to the annexation of Texas, a measure to which there had been both party and sectional opposition too vehement to be speedily allayed, and this was an element not to be overlooked in estimating the difficulties of our first experiment in foreign war. With no little pride may we look back on the solution of the problem, as evidence of the fitness of our people to govern themselves, and of that patriotism which neither prates of peace in time of war, or breathes war and slaughter in time of peace.

There was a division of opinion as to the war, among the politicians of the land, but the great body of the people answered in the language of Decatur, "My country, right or wrong, my country." And so the question became not whether the Government could raise a sufficient force to carry on the war in Mexico, but how it was to select from the great body of volunteers as many as would serve its purpose. They came not mercenaries, but the best men of the land. They went not for pay. An instance came within my own knowledge where eight or ten times the amount of his soldier's pay was given to one who would attend to his duties at home that he might take up arms for his country. They went with that true military spirit which had borne their fathers in '76 up to the time when the Father of his Country sealed their independence by the surrender of Cornwallis at Yorktown. They went with the spirit which animated the later period, the war of 1812, which on sanguinary fields showed that Americans knew how to die but not to surrender, and which at last was crowned by that extraordinary victory of volunteers under Jackson in the defence of your City.

When the news of the battles of the Rio Grande reached the

United States Government, Congress declared that hostilities existed between this country and Mexico, and authorized the President to call for volunteers. When they had been received and organized under the laws of the United States and had arrived at the seat of war, General Taylor commanding in the field commenced preparations to advance. So little had the past experience of our country required or taught in regard to the wants of an invading army, that not even the necessary transportation was furnished to move the small force assembled on the Rio Grande. The volunteers, impatient to gather the laurels of war, were eager to advance; the regulars, who now had a chance for more equal combat, were alike anxious. Their leader was a soldier who readily sympathized with the desire of his troops to fight, and before he had transportation enough for even a small part of them, he advanced to the City of Monterey, a place which had never been captured, and which the Mexicans therefore believed to be invincible. He came with Mexican muleteers to transport provisions, he attacked on the East and on the West of the City of Monterey, and after three days of constant fighting the town capitulated. I recollect then, as my memory recalls it, a strange view taken by the Government at Washington of events in the field of war. They disapproved of the liberal terms of capitulation, for in that very early period of their education, your brothers laid no conditions upon a conquered foe which were not worthy of the pride of a gentleman. They allowed them to retire with their small arms, and some portion of their artillery; engaged with them to keep a truce for a certain period of time, within which period it was hoped the Mexicans would sue for peace; but the Government at Washington by some strange view of military affairs, which politicians may take, decided that we ought to have made prisoners of this army in Monterey. Now, my friends, without attempting to argue that question, allow me merely to say that the force of General Taylor was barely adequate to invest two approaches. The Mexicans had three lines open to them, all of which were practicable. By the capitulation they surrendered to us all of their military stores—our hope of supplies rested on the return of the muleteers, who had been sent through the enemy's country to our depot near the Rio Grande; they gave us the town in good condition—needful for our wounded men; and what in the name of common sense any Government could ask more than this, I am at a loss at this date to imagine. Then followed the preparations for an advance by the line of Zacatecas for the capture of the Capital of Mexico. Between us and it there lay a desert of about

sixty miles, in which there was no water. General Taylor went to work immediately to renew his artillery, which was old, worn and broken from long use, with new guns; to collect additional forces; to collect arms; and to collect bags made of India rubber, which would answer the purpose at first of covering supplies, and when by consumption of supplies, wagons became empty, would answer the purpose of containing water to cross this desert. If he had gone by that line the consequence would have been—he would have approached the defences of the City of Mexico from a higher plain. But these military politicians decided otherwise, I know not the reason, but do know they stripped him of a large part of his forces; assigned another General to command; not to advance by that route, but to go by way of Vera Cruz, where their march was up hill and where every steppe was crowned with fortifications. He was to attack them on the summit of an ascent, fortified to command the approach, instead of coming to the attack from a higher plain and from a direction from which attack had not been anticipated, and therefore not provided against. A large part of the army was sent around that way, leaving but a small fragment under the command of General Taylor. With the remnant of his force which had been left, in which there was but one regiment that had ever been under fire, and with the addition of similarly untried troops of General Wool who had recently joined, we were moved forward to Agua Nueva and posted to await the advance of the enemy. But information having been obtained that the enemy was about to turn our position by using another mountain pass, General Taylor withdrew his army to the pass of Buena Vista, and here made his dispositions to abide the fate of a battle with the largest and best appointed army of Mexico.

On came the numerous host, his vast columns deploying into line of battle so far to the right and to the left that they were only perceived by the rays reflected from their bright arms. He came with the confidence which numbers and discipline inspire. Like ourselves they too were led by their favorite military chieftain, and they had been told that they would only meet some volunteers, which they, being "regulars," regarded as a mere rabble who would be easily put to flight, and the road be left open to the invasion of Texas. What else they hoped for, he who can measure their self-appreciation may tell. It is not, however, difficult to see that great were the consequences dependent on the issue there joined.

You have been told that it was not my purpose to describe battles, and though there are many memories in connection with

this one which it delights me to preserve, suffice it to say that the first day was passed in contests for position and closed without any important result. On the second day the fickle goddess smiled alternately on one side then on the other, until at length the enemy gained a position on our flank and threatened to make a sudden descent upon the reverse of our position. A cavalry command, the Lancers in front, were sent down a rocky plain then held by a regiment of Riflemen; they came a close column of squadrons; the sun shone on their lace covered breasts; the men being large in proportion to their horses, gave an apparent solidity to their line, and what with their perfect seat and gaily fluttering flags at their lance heads, it was a goodly sight to see. They estimated the efficiency of an army by the number of its cavalry, and had to learn that a single line of infantry could repulse such a charge as they were about to make. Motionless the devoted band of your brethren stood; all knew the value of the post they held; all knew the peril, too; a few yards to their right a precipitous ravine offered shelter from an attack by cavalry, but the safety of the army, the honor of their country were in their keeping, and if not unmoved, yet firmly resolved, they stood to conquer or to die. Nearer and nearer the charging column came until within short range, when every man took accurate aim and probably every bullet told. As the cloud of smoke and dust lifted, there was to be seen where late those imposing squadrons stood, only prostrate men and horses; in the distance were horsemen, riderless horses and horseless riders flying in confusion. A single line of infantry offering a V entering angle had repulsed a charge of cavalry, the cavalry being the more numerous of the two. The battle continued with varying results until the bugles of the enemy sounded the evening retreat, and night closed upon the field leaving our army in possession of it. But the result had not been so decisive as to lead to the conclusion that the enemy would not renew his attempt, and the question was whether he would try to turn our position during the night, or again attack us in front the next morning. In telling you how that question was settled, I must ask you to pardon a personal allusion. The next morning when lying wounded and waiting for the ambulance, which was to take me to the field, General Taylor sent a messenger to say that the enemy was in full retreat, the rear guard only having been seen by our scouts, and that my presence was not required on the field.

Thus far, my friends, I have but briefly sketched some of your military glory; I now come to grander achievements. In the

possession of the Capital of the country, the question was what would the Americans do,—would they hold possession, and claim the country as their own by conquest? Would they claim these people as subjects by ordeal of battle? No, no, not so. It is my pride as an American to remember that you made a treaty of peace, and took not one rood of land by conquest. By that treaty of peace you withdrew from the Capital, you surrendered the territory that you held by military possession, and the territory you acquired by treaty you paid for with your money. Never did any country present a grander moral spectacle according to my estimate than ours did on that occasion; nor did our soldiers less exemplify those noble attributes. Wherever our troops marched, all the rights of property were respected, never was any non-combatant disturbed. The troops never did take anything from them without just compensation. In the villages we passed through we got what we required and paid for it at the market price of the country. These are some of the moral elements. Let us pass to the material results. A material result of the war with Mexico was the acquisition by purchase of that great land of California, a land of promise and of golden fulfilment. Not only has the gold of California been poured into your treasury as a material result of this war, but exploration and development of the whole territory lying between the Mississippi Valley and the Pacific Coast is a consequence of the acquisition. It has thus made us one of the greatest contributors in the world in adding to its specie. Nevada certainly, and perhaps Idaho, produces more silver than the famous land of Peru, and if our country has not specie sufficient to redeem all the greenbacks afloat, that is one of the results which I may not ascribe to the war with Mexico. Then there was another material result, the necessity of connecting by railroads the country already occupied with that which had been recently acquired, led to the surveys and construction; and another, we hope, is soon to be built to connect your city of New Orleans with the Pacific Coast. These are some of the material results which have followed from the war with Mexico; nor are they all, for the progress in Texas is fairly ascribable to the same cause, and the railroad I spoke of being built will be the means of still further developing the vast resources of that State, and New Orleans may become in commerce what her natural position fairly ascribes to her. Then, my friends, this progress in and beyond the Valley of the Mississippi is opening up other vast resources which again are connected with the material results of the war with Mexico.

When all these railroads are completed, stretching across the continent, the quickest line of commerce will be across the Territory of the United States, and the Mississippi Valley will be the Central Station. Yours is a mission not to propagandize, or by force to extend your Empire. The diversity of the climate of your valley, the different lights and shadows of its mountain borders on the East and on the West proclaim for you a cosmopolitan future, and the great and varied productions of your country announce your permanent policy to be that of peace and trade with the nations. Yours is a higher mission than political propagandism or territorial conquest. It is to feed the hungry, to clothe the naked, to shelter the homeless, and to offer a field of profitable labor to every energetic, industrious wanderer of the Caucasian race. To one born in the Mississippi Valley, after the acquisition of Louisiana had given unity to the commercial and political relations of the inhabitants of the wide spread territory, it was natural if he grew up with wishes expanded as his native valley. Happy is it for him if the experience of age enables him to weave a garland of hope around the anticipations of youth, to see manufacturing cities surpassing the wealth of Tyre and Sidon, and granaries by the side of which the world supplying the stores of the Pharaohs would seem diminutive. At no distant day, your city, situated at the point where ocean and river meet, where the productions of all the country drained by the Mississippi find the best route to the markets of Southern and Central America, as well as of Western Europe, should, may we not say must, become one of the principal commercial centers of the world. You have only to be true to yourselves to command that which by the endowment of nature, fairly belongs to you. And in your progress to power, in the midst of your achieved prosperity, let us ask that you remember the part of it which may justly be regarded as consequences of the achievements of your soldiers in Mexico. But brilliant as were the deeds performed, important as were the results which followed directly and indirectly, and just as your claim may be on the gratitude of the present and future generations of the veterans and representatives of the army in Mexico, I would say they have a glory surpassing all which was acquired on the field of battle. They came from a foreign war waged against a people of different origin, language and habits. They came from a conquered country where corporations and individuals possessed much personal and portable wealth. They came with hands empty of plunder, they came with hearts free from the stain of injustice or cruelty to the helpless, they left

behind them no widow of a non-combatant husband slain on the family hearth, they left no orphans destitute because of the destruction or appropriation of their property by the invading army. They came back poorer than they went, except in that which is the true soldier's treasure—*honor, HONOR.*

They brought to the altar of their country the priceless sacrificial offering of fame without spot or blemish, and these are the men who have not yet been considered worthy of a pension. Whether they came unscathed in battle, or whether they came upon crutches, they were both the same, and they have whatever else they may have lost, that which has not a value to be measured in this world's goods, self respect and a good name, which challenges the denial of the world. There is much more, my friends, that I would be glad to say to you, but as I mentioned to you, I am suffering physically, and must now draw to a close; but first, you will pardon me for addressing some words to the veterans who sit behind me.

Few, my friends, we are in numbers, and time with its ceaseless course must soon bear us to the ocean of Eternity. Right glad am I to have had this opportunity to meet you, proud am I to feel that the love of soldiers' memories rooted deep in the affections have been proof against the trials you have borne. If we were for a moment to be captives to the memories of the past, we would again recall friends that are with us no more. Again would we sit around the cheerful camp fire, hear the exhilarating rattle of the small arms and the deafening roar of the artillery. Again would we stand surrounding the little hillocks where sleep the brave we loved so well. But shall we mourn for them? They died amid the shout of victory, their last look was upon the advancing flag of their country for which if they had had a hundred lives they would willingly have surrendered them all. Peace to their ashes, glory to their memories. May that kind future which the good Father promises to those who love Him attend you, and your closing career be as calm and happy as its commencement was brilliant and honorable. I thank you, ladies and gentlemen.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

New Orleans, 25th March 1876

My dear Sir,

I observe you have printed the letter of Genl. Beauregard and C. D. Martell on the discrepancy between his averments & those

of Genl. Johnston as to why they did not follow up the advantage gained at Manassas. There is nothing consistent which is not true, and neither of them are in that matter truthful.

The Qr. Master Genl. Myers exposed the fallacy of Beauregard as to the want of transportation as soon as it was published, showing that B. had sent away many wagons as superfluous. Myers is now, I know, in this city. I have not seen him and he thinks he has a grievance at my hands, and like all small spirits is revengeful. It might be that he would give *you* the information, the more so because Beauregard's allegation reflects on the efficiency of the Dept. of which he was then the head.

The irrepressible Turnbull continues to urge me to go to Europe with him, and says he can explain how the question of copy right is to be made safe. I have refused to go with him, and must wait until we meet there or here, for the promised elucidation. The Appleton man equivocated, to use no harsher term. Your kind letter was duly received in regard to an agent for Ala.; but negociations had progressed so far with Mr. Sanders that it was not practicable to avail of the information you gave us. As ever truly your friend

JEFFERSON DAVIS

Maj. W. T. Walthall
Mobile
Ala.

D. H. Maury to Jefferson Davis.

(From Confederate Museum.)

Danville, April 3, 1876.

My dear Mr. Davis

Your letter of March 20 has just reached me, in Danville—

I feel a great desire to see such a personal biography of you published soon, as that admirable book which Mr. Jones has recently compiled and published about Gen. Lee. That book has done and will do a great deal of good, and has been a great success, not only a literary and moral success, for it is eminently moral, and religious, in its influences, but it has been a financial success, and proves that Mr. Jones is a capable writer and compiler of biography, and looking over the whole field I do not see anybody in the South more likely than he to give satisfaction as your biographer. It will be to him a "labor of love" and would run with the work that occupies him now so much as our Secretary and historian.

I hope you will not feel this suggestion obtrusive— It is made as you know with only good motives however awkwardly it may be expressed.

In one of your letters you told Mr. Jones that you thought the defeat of Franklin's corps in Sabine Pass and Dick Taylor's Camp Birland Capture were amongst the most remarkable events of the war. The defeat of Wilson at the Roanoke Bridge by the militia of the neighbourhood always struck me as very remarkable. I am endeavouring to procure a detailed narrative of it from Col. Tom Flournoy, if he will only write it as graphically as he tells it we shall have a gem for our archives.

You remember all about it— Wilson had 4,000 cavalry—and had torn up the Rail to the Bridge over Staunton River near Roanoke Station. Less than 400 men and boys hastily assembled to oppose him at the Bridge and repulsed him—a woman's wit aided their impression and before dawn next morning he was in full retreat—Our Cavalry interrupted him captured 2,000 men and hundreds of wagons, etc.

No contest was ever more full of illustrations of the very noblest traits of our nature, not only were these exhibited by our people in the very flood tide of our career when our hopes were high, but all thro' our gradual decline in force and success—and even after all was over our women and our men showed a nobleness and a generosity and an heroic endurance unsurpassed. Many persons brought me money they could ill spare—and some of them I know offered me half of all they they had— One woman out of her little Store put $100.00 of gold into my hand—and tried to press it upon me. I was glad to learn that you experienced the same sort of devoted consideration from a plain Virginia matron right here in Danville. I believe the Virginia women to day cherish a more sacred feeling for you than any others even. I expect you will be pleased with our number.

Most respect'y your friend,

(Signed) D. H. Maury.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

New Orleans, 5th April 1876

Maj. W. T. Walthall

My dear Sir,

I have received yours of the 1st Inst. with a letter from Mr. Derby enclosed, the latter as requested is herewith returned.

There is more vagueness in Mr. Derby's proposition than seems to me to be due to the absence of the information he asks. If he proposes to pay you monthly a sum for engaging in the preparation of the work and then a certain allowance on Mss. when and as presented it would be easy to write to that effect. Ten per cent on the retail price, he states as the usual rate, for his publishing House; that is explicit enough, but belongs to a state of case which presupposes a book written and published. What is to be furnished to you in the mean time? If you devote your time to the preparation, compensation in the form of advance must be given. That Turnbull said he would do. We are not seeking an "opportune time" for publication, but mainly desiring to vindicate our cause and countrymen, so Mr. Derby's trade view of the subject was brought to the wrong market. I wish you to have a liberal support while preparing Mss., and adequate compensation if the sale of the book shall afford it when published, but the chaffering and outbidding tone of the letter does not assure me that there will not "be any difficulty in the way of making terms, satisfactory to both parties." Turnbull's uncertainty was supposed to be from his inability to speak positively. You understand the class better than I do, and better judge of their meaning. You have certainly brought them to a point on the article in the Encyclopedia, but I do not see how they are to get the correction into their work which is I suppose stereotyped, printed and bound.

I expect to leave for Vicksburg and Memphis in a few days to return before the end of the month, the exact date I can hereafter give you. Soon after my return say early in May shall probably sail for England. Hope to see you before that time. A Canadian publisher supposing I was about to issue a book has written to me proposing to print simultaneously in Canada, and some time since a like proposition was made by a publisher in England. I wish my time was not occupied by other matters and that we could go earnestly and immediately to work on the memoir. I have requested a friend to get the exact address of ex Qr. Mas. Genl. Myers, and hope to send it with this. I do not think there is any unkind feeling between him and Genl. Hood.

Enclosed is a slip, referring to treatment of Prisoners at a place in your own State, and the persons mentioned may be known to you. Such information as is indicated, would be useful in the proposed "ventilation" of the question, through the Southern Hist. Soc. papers.

Trusting that this may find both your wife and yourself restored to health, I am respectfully & sincerely

Your friend

JEFFERSON DAVIS

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

New Orleans, 6th April 1876

Maj. W. T. Walthall

My dear Sir,

The address of Genl. Myers, is care of Jules Blanc, no 5 Carondelet Street, New Orleans, La.

H. C. Turnbull jr. sent to me telegram, last night, to inform me that he expects to sail next week, and inquiring when I am to sail. Nothing more from him in regard to his plan of copy right, or the terms he would offer to you.

As ever your friend

JEFFERSON DAVIS

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

26 April 1876

My dear Sir,

I shall reach New Orleans D. V. to morrow evening, and if not required to go to Texas on the 2d of May will be in the city say about ten days.

If I go to Texas will not be absent more than five days.

This is written in compliance with promise made. If any thing should occur to change the above or to make it more definite, I will write after reaching N. O. and learning the additional facts. The Boat is shaking so that it is difficult to write legibly.

Ever truly yours.

Maj. W. T. Walthall JEFFERSON DAVIS

Endorsed

H. E. Jefferson Davis
Steamer Natchez
Miss. River
26 April, 1876

Recd. 27.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

New Orleans
3d May '76

Maj. W. T. Walthall

My dear Sir,

I would have been glad to visit your Fair, but there were insurmountable obstacles. First I was under obligations to go *if practicable,* to Houston Texas on the 2d Inst. That is to be there on that day. 2d our Board of Directors were to meet on the 29th Ulto. and adjourned to meet on the 2d Inst. You will see therefore that I could not consistently be with you. Please when convenient make satisfactory explanation to Mr. Langdon, for whose courtesy I am thankful.

I have no letters yet from London but am daily expecting them. Shall be governed by their contents somewhat in regard to the time of my departure. Probably will sail on or before the 11th Inst. and should be pleased to see you at your convenience between this date and that. Mr. Turnbull has written to me that he would sail for England on this the 3d Inst.

I am ever sincerely
your friend

Jefferson Davis

Jefferson Davis to Crafts J. Wright.

(From Manuscripts Division, Library of Congress.)

33 Camp St., N. O. 11th May, 1876.

My Dear Crafts,

I have received your two very welcome letters and have not sooner replied, for two reasons, first I have been very busy, and second it is painful to me to realize as I must, in discussing questions of the sectional war, that my early and ever dear friend, is not in accord with me.

My Father was a revolutionary soldier, and as you see by the name he gave me, a friend of Thomas Jefferson, and an adherent to the states rights doctrine. I grew up in that faith, and could have no more conscientiously abandoned it, than I could have deserted a friend when surrounded by foes.

I sent to you the March number of the historical papers, and

felt sure you would appreciate the truths and would do justice.

The diary of one, Jones, I have not seen, but I suppose the poor devil, after having fed on the confederacy until it went down, then framed his story anew so as to gain admission to other pastures. As a Soldier and a Lawyer, you will see how little credibility is to be given to his tale of the proposition to assassinate president Lincoln. Would anyone making such a proposition, send it through the Adjt. Genls. Dept., where he (Jones) only could have seen it. If so sent, it would not have been referred to me, but to the secretary of war. Would any man who ever filled that office, have sent it to me? Yet these are the preliminaries to his falsehood, that they returned it without rebuke. Where was that man of stainless reputation, as well in the old army as that of the confederacy, Adt. Gen. S. Cooper, when a proposition to be employed for assassination was sent in? Most lies have some grain of truth in them, and this one has an atom. Col. Alston of Gen. Morgan's staff, at the time when it was attempted to implicate me in the murder of Mr. Lincoln, published a statement which was copied in many papers of the time. It was substantially to this effect, that an officer of Gen. John H. Morgan's command, had sent to me, not to the War office, a letter offering his services to go secretly and assassinate Mr. Lincoln, and that I had sent the letter to the War office with an endorsement, ordering the officer to be arrested, and brought before a Court Martial. That the officer was arrested, and would have been tried but for events which rendered it impossible. I do not know where that published letter is nor do I recollect the circumstances further than as above written. The other story of what I said to Breckenridge on receipt of the news of Lincoln's death is an equally bald falsehood. Breckenridge was not with me, but in the conference with Gen. Sherman at Raleigh, and sent to me the telegram announcing the death of Mr. L. The news was to me very sad, for I felt that Mr. Johnson was a malignant man and without the power, or generosity which I believe Mr. Lincoln possessed. The telegram was handed to Mr. Johnson, an eminent citizen of Charlotte, N. C. He read it aloud to some persons there assembled, and I passed into the house to which I had been directed on riding into the town.

The despatch was handed to me immediately after I had dismounted in front of the door, it was from Gen. Breckenridge, then in Raleigh, where he received the information from Gen. Sherman. So much for the particulars intended to confirm the fiction. One who was there present, has published an

account of the incident which, I believe, is mainly correct. He says that when I handed the telegram to Mr. Johnson that I remarked this is sad news, and that the crowd called for the reading of the telegram, that when it was read, someone shouted, and that I checked it, with remarks of sadness. The fact was, that without any personal regard for Mr. Lincoln, I considered him a kind hearted man, and very much to be preferred by us to his successor Mr. Johnson: but had it been otherwise, nothing could have made me willing to adopt assassination as a means to be employed. This I trust all who ever knew me personally ever must believe, without asseveration of proof. Though several attempts were made to assassinate me during the war; though I was warned by a letter from Philad. that a desperado had been released from the Pa. penitentiary and sent to Montgomery, Ala. for that purpose; though a man who waylaid me and shot at me when riding in the suburbs of Richmond, and who by many circumstances was believed to be an emissary bribed with gold, found on his person, to commit the odious crime, yet neither I, nor those associated with me, believe Mr. Lincoln to be particeps criminis. For the rest I will only say, it is not possible for me to think as favorably as you do of Messrs. Stanton, Seward and Gen. Sherman; but I am glad that one whose opinion I respect so much as I do yours, entertains the conclusions you state.

It would be a great pleasure to me to see you, and you would be welcome among my friends, Like reasons to those formerly given, will prevent me from going to the West Point, at the "centennial" meeting. With affectionate regards and pleasant memories, I am your friend

JEFFERSON DAVIS.

C. J. Wright.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Private 33 Camp Street New Orleans
20th May 1876

My dear Sir,

Your letter of the 18th Inst. with its enclosure has been received, the latter is returned with some notes which I hope may be legible and serve you in the preparation of your article.

I recollect that Mrs. Davis with wifely devotion ran after me on seeing the soldier aim his carbine at me, and threw her arms around my neck as if resolved to share equally the danger, which she thought much greater than I did. What her words were I cannot remember, her purpose was manifest, and in accordance with her heroic nature. I had some reason to believe the fire of a man on horseback at an object immediately below him, not likely to be effective, for the front rank of a squadron, on the Bank of a ravine in the field of Buena Vista, fired at me when riding in the ravine, to find a slope of the bank which my horse could ascend. The distance was say thirty feet, and they all missed me. A part of my Regt. was following me, and they climbed up the bank; not having been seen by the enemy, they surprised him, and with terrible slaughter poured in their fire at a few feet distance.

I cannot assume to judge of the motive of the U. S. soldier for withholding his fire, but to such an act it is fair to ascribe a good one. So few occasions have been afforded me for the exercise of that sentiment towards our enemy that I gladly avail myself of this one.

Some days after my capture, Col. Pritchard, commanding the Brigade, claimed credit for the forbearance of his men in not having shot me, when I refused to surrender. I only responded that I had not asked "for quarter", and was too much chafed by the annoyances and petty thefts to which I had been subjected, to acknowledge any obligation to them.

I would have gone to Mobile but for the fact that a Deputation from London, to confer with me about the Missi. Valley Soc. had reached New York, and were corresponding with me by wire and by mail, and I hoped would come on here. They have finally decided that it is "impossible" to do so. The Ship "Memphis" which was to have sailed today, will not get off before Tuesday.

Turnbull is in London, and inquiring by cable for my whereabouts.

I trust this may find you in some degree relieved from your anxiety about Mrs. Walthall, and that every earthly good may be given to you and yours.

Faithfully
JEFFERSON DAVIS

Maj. W. T. Walthall
Mobile
Ala.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

London, England
3d Aug. 1876

My dear Maj. Walthall

I have received yours of the 11th Ulto. and do not know how it happened that you were not advised how to address me in this country. It was so fully my intention to do so, that I had thought of it as having been done.

Hereafter please address me c/o George Campbell & Co. 95 Leadenhall Street, London E. C.

In regard to the matter of a publisher, I reply; that it is not incumbent on us to wait longer on Mr. Turnbull, & that you are authorized to enter into the proposed arrangement with the Messrs. Appleton. The main conditions being, that they are to advance the sums needed by you for expenses, and support during the preparation of the work, that you are to furnish copy without unnecessary delay, but not to be pressed for it; and that in the event of failure to complete the work, for any of the causes mentioned by Mr. Derby, the reimbursement of the money advanced shall relieve us or our successors from other obligation.

I would in no wise consent to allow them to take the material as compensation for their advances, or to surrender to them the copy right. It is to be regretted that we have not the means to dispense with advances, and wholly avoid any obligation, such as I suppose is the attendant incident.

It must be embarrassing to you to write the correction of the article in the Encyclopedia, so as to fit a given space. It would not be well for you to wait for my return before sending your correction, for several reasons, one of which is, that the slow progress made in the business on which I came here, renders it doubtful how long it may be needful to remain in this country.

Accept my thanks for copies of the Cycle. I am sorry to learn that the paper has not been a financial success, but you have the consolation of having done good to others, and defended truths, which it is to be hoped will yet be potent to bless coming generations.

With best wishes for you and yours, in which Mrs. Davis cordially unites, I am ever

Sincerely your friend

Maj. W. T. Walthall
Mobile

JEFFERSON DAVIS

Jefferson Davis to James Lyons.

(From Confederate Memorial Hall.)

Beauvoir,[1] Harrison Co. Missi.
13th Aug. 1876.

My Dear Friend,

Maj. Walthall has read to me your letters and in compliance with your request I give to you my recollections in regard to the removal of Genl. J. E. Johnston from command of the Army at Atlanta Ga. You are correct in attributing to me a great reluctance to order his removal at that time. I had for some time resisted the advice of my Cabinet and other friends to remove Genl. Johnston from command. For though I was deeply disappointed in his course from the time he commenced his retreat from Dalton, and so was compelled to admit the just foundation for the dissatisfaction of others, I realized more fully than they did, the serious objection to a change of commander in the face of an enemy threatening to attack. The Secty. of War, impatient at the failure of Genl. Johnston to inform the government of his prospects or purposes, proposed to ask him to communicate them. I assented, and he, Mr. Seddon, sent a telegram, to which was returned a vague answer; then another and more positive inquiry was made to which the answer was such as was considered indicative of a purpose not to defend Atlanta with his Army but to entrust the holding of the important point to the militia. To you who are so familiar with our condition, especially our dependence on the system of Georgia Rail Roads for the food with which we were holding the field in Va., it is needless to explain the magnitude of the evil to result from the continued retreat of the Army through Ga. Suffice it to say, that I thought the injury consequent upon a change of commanders less than that of leaving Genl. Johnston longer in command. When therefore speaking of the event, soon after it occurred, I would

[1] Written from Beauvoir which afterwards became the home of Mr. Davis. The place is now the Jefferson Davis Memorial Home for Confederate Soldiers.

probably speak of it with regret, and as forced upon me. But this did not mean by the will of others as much as by the necessity of the case. To you, to whom my heart was so often laid bare, during our trials, it is I hope needless to state that no personal feelings entered into my action, save the sorrow I felt that anything should obstruct our progress to success in that effort, on which depended so entirely my highest hopes and dearest wishes.

Mrs. Davis, who is with me in a quiet retreat on the sea shore of Missi. joins me in most affectionate remembrance to Mrs. Lyons and yourself.

Every faithfully

JEFFERSON DAVIS.

Col. James Lyons.

endorsed: Jefferson Davis to Hon. James Lyons, concerning removal of Gen. J. E. Johnston; 13 Aug. 1876.

Jefferson Davis to A. J. Beresford-Hope.

(From New York Historical Society.)

18 Upper Gloucester Place
Dorset Square, Sept 23d

My dear Mr Hope

Many thanks for yours of the 21st inst. Should it be my fortune again to visit England I trust I shall be so fortunate as to see much more of yourself, and family than on this occasion. Mrs. Davis, and Miss Howell with the children will remain in this country, the three older children at school, the little girl with her mother, and when convenient to you and Lady Mildred I would be obliged to you for any attentions which you may show them. My stay in the U. S. will be for an indefinite period and whether I revisit England again or not must depend upon circumstances which I cannot foresee. In any event I shall remember Lady Mildred, yourself and Daughters with affectionate interest, and if I should be able to make favorable report in regard to the country for which you have evinced so disinterested a friendship I shall be happy to communicate such tidings to you. Please present my best wishes to each of your family, and believe me to be

Very cordially

Your friend,

JEFFERSON DAVIS.

Jefferson Davis to James Phelan.

(From Manuscripts Division, Library of Congress.)

Upper Gloucester Place
Dorset Square, London N. W.
7th Oct. 1876

My dear James

Your letter of the 5th sent to me from Liverpool, has been received this morning. I am greatly pleased at the prospect of seeing you, for you have ever been very dear to me, as well for your own as for your beloved and honored Father's sake. I am in lodgings at the above address and hope you will come at your earliest convenience. Mrs. Davis is with me and like myself anxious to see you. She has been for several weeks seriously ill, so much so that I have but seldom left her room. She is now better and will be happy to receive you, even if unable to leave her chamber.

As ever your friend
JEFFERSON DAVIS

Jas. Phelan.
[Envelope addressed: Mr. James Phelan
9 Maddox Street
London W.
Postmark: London N.W. /B/Oc 7/76]

M. S. Nayasaki to Jefferson Davis.

(From Confederate Memorial Hall.)

JAPANESE LEGATION,
LONDON.

Friday 21, 1876.

Dear Sir.

His Excellency the Minister and his Lady wishes me to ask you, if you should kindly call on them on Sunday afternoon next at ½ 2 o'clock, they would be very happy to see you and your Lady.

Believe me,
truly yours,
(Signed) M. S. NAGASAKI.

Mr. J. Davis.

A. J. B. B. Hope to Jefferson Davis.

(From Confederate Museum.)

Bordeaux.
Oct. 21, 1876.

My dear Mr. Davis:

Your letter which found me here has made us very sorry, for it was the first news we had of Mrs. Davis illness. We earnestly trust that she is by this time recovered. We deeply regret that we sd. have been deprived of the pleasure of seeing you and her at Bedgebury for so unfortunate a cause—

We set off selves and girls on Sept. 27—& have been making a leisurely tour, stopping a week in Paris and visiting the objects of interest in the different places—

This evening we trust to reach Biarritz—My wife has borne the journey well tho' she has been all along suffering from her sciatica. She will remain there all the winter—Parliament (I trust not till Feb. 7) would call me back. Things are looking very ominous—and the persistent attempt of Gladstone and his section to convert the righteous execration of Tartary atrocities into an engine of party attack upon the Government at a moment when all parties ought to come to their support, is most reprehensible.

Judge Black's speech is very good—The irony of it is bitter—and he is certainly no respecter of persons living or dead.

If on your return you can poach a spare moment, it would be always a great pleasure to us to hear how you and Mrs. Davis are.

Pray offer her our kindest remembrances and regards and with my wife's Believe me

Yours very truly,

(Signed) A. J. B. Beresford Hope.

Jefferson Davis to W. T. Cordner.

(From New York Historical Society.)

Steamer Natches
7th Dec. 1876

W. T. Cordner Esqr.

Dear Sir

Yours of the 27th Ulto. was recd. at Vicksburg just before my departure from that place, and I take the first opportunity to reply to it.

The enclosed account prepared by Secty Frith shall be submitted to the Board of the Missi. Valley Soc. at New Orleans. The inquiry about the fees paid by the American Branches to the endowment fund of the Parent Society was caused by the remark in one of your letters to the effect that nothing had been received from America. Mr. Griffing on my calling his attention to the matter, offered as an explanation, that he had expended all and more than he had received in his travelling expenses. I reported his explanation but it was not regarded as satisfactory, because he was not acting under their instructions, and further because the endowment fund was considered as specifically appropriated to a different use. This is however only preliminary and the full consideration of the subject is left for the Executive committee.

Your letter to me, of Oct 21st was received in London, in it you asked to be informed when I would leave for New Orleans, as you wished to meet me there, and Mr. McAllison promised to send you a Cablegram informing you of my departure from England. My note written on the Steamer "Adriatic" (gave) you the additional information which was deemed needful, and for the reasons previously stated it was not convenient for me to stop in New York.

Though it would have (been) agreeable to me to converse with you in regard to the Missi. Val. Soc. it was as stated necessary, that any explanation to be effective, should be made to the Board and with access to the records of the Society. The elder Mr. Frith sent me an extract from your letter to him, of Oct. 10, at the tone of which I was surprised and indeed offended. He has I suppose sent to you my reply to his note, accompanying that extract, and his subsequent explanatory letter to me.

Now Sir, as to the resentful feelings of Mr. Griffing, and your endorsement of his conduct, I will only state, that I do not see why they were as above described communicated to me. A better ocasion for such manifestation might have been found when Mr. Bayliss, the Presdt. of the Memphis Branch, made his complaint to the Parent Society in London, when you and Mr. Griffing were both there. You are aware that I was not connected with the Missi. Val. Soc. when the original Branches were formed, and therefore that your Manager could not have made to me the promises to which you refer. It is only of subsequent events that I have cause to complain, and it was your letters not Mr. Griffing's conversations which have placed me in a disagreeable & injurious position.

When you invited me to accept the Presidency of the American Dept. and proposed a fixed salary with contingent emolument, I could not have supposed that the Parent Society was without an assured revenue, least of all was that suggested by an invitation to forward an estimate of the advance we would require to support the Dept. during the first year of its operations. Your telegram declaring the modification I proposed to your Rules & Bye laws, formed the basis on which our reorganization was founded; but this was soon followed by a letter from the Executive Committee wholly inconsistent with that basis. These and other matters might have been discussed with possible advantage to the Society had you and Mr. Lawson gone to the chief office of the American Dept. when you were sent by the Parent Society in London, to confer with us. In default of that, I was sent to London. On my arrival there, it was stated that you had so entirely managed the past affairs of the Society, that your presence was needful in making arrangements for the future, and that you were expected to return in three weeks. After delays and sometimes failures to attend called meetings, for a period of say four months, it was finally decided to reconstruct the Society by giving to it the form of a stock Co. and a Committee was appointed to draft a programme for that purpose. The programme was submitted to me, and some alterations made in it at my suggestion. I left for the Continent & was absent about a fortnight. On my return the Chmn. of the Executive Com. called on me and read to me a scheme for a Mortgage Bank to be established in New York, which he said had been received from you, and was approved by Mr. Crossley, Presdt. of the Parent Society as a substitute for it. I was indignant at the manner in which I had been treated, failed to see how the proposed Bank was to promote direct trade with the Missi Valley, to aid in securing emigration to it, or to induce the increase of shipping to the Port of New Orleans. Therefore as foreign to the Mission on which I was sent to London, I declined to be associated with the proposed scheme.

As an addition to the Banks of New York, willing to lend money on mortgage security, and seeking such investments in the Missi. Valley it may be beneficial to our people and so I wish it success; but surely that is not akin to the objects for which we were invited to form branches of the London Society, or to the work in which you asked me to cooperate. Had you informed me that the Parent society had so far failed that it

had become necessary to close it's office in London, the Society in New Orleans would not have sent me to confer with the London Board as to future cooperation between the European and American Departments.

Had you earlier informed me that it had devolved on you, personally, to furnish funds for the current expenses of the society, and that pecuniary losses had rendered you unable to fulfil your undertaking, I should have ceased to hope for any thing from the society and been better prepared to meet the disappointment which has been encountered.

Yours Respectfully

JEFFERSON DAVIS

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Miss City, Miss.
Feb. 6th 1877.

Major W. T. Walthall

My dear Sir,

I received yours of the 29th Ultimo, & availing myself of your kind offer to come down and confer with me in person, I would suggest that you should come upon any day this week that will suit your convenience. You can stop at the "Beauvoir" Station & my friend Mrs Dorsey will give you shelter for the time being. I am glad Mr Derby accepted our construction & saves you all trouble of fruitless discussion about terms.

Truly yours,

JEFFERSON DAVIS

Mrs. S. A. Dorsey to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Beauvoir, Feb. 23d 1877

Dear Major Walthall,

This is the best I could get this week—Mr. Davis has been very unwell & I have had difficulty in making him do so much. You will notice the two pages of (*notes*) to be placed as needed—

Respectfully

S. A. DORSEY

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Beauvoir Feb. 14th 1877

Major W. T. Walthall
Dear Sir,

I write to say that I was quite ill since you left & do not feel well enough to go to N. Orleans this week as was proposed when I last had the pleasure of seeing you. Dr Hollingsworth has informed me that he thinks you can rent or purchase on very favorable terms the Moore place about a mile & a half from Beauvoir & the next best place to it, on the Coast. It has thirteen or fourteen rooms, is in good repair and well furnished a good garden spot, with many fruit trees & a grape arbor, & a mule and cart. The price is $5,000,—$3,500 cash the rest on time. I asked the Dr to inquire whether it could be rented with the privilege of purchase within the year & he has written to that effect. Tis a beautiful place & will probably sell for more hereafter than the present price.

Very truly yours,
JEFFERSON DAVIS

Wm. H. McCardle to Jefferson Davis.

(From Confederate Museum.)

Columbus, Missi.
Feby. 27, 1877.

Hon. Jefferson Davis—
Mississippi City—
My dear Sir—

Your favor of the 20th inst, reached me this morning, having been forwarded from Vicksburg—

I regret that I am not able to be of any service in helping you to "search" for the two letters you referred to until my return to Vicksburg, which will be in a few weeks— I will take great pleasure in aiding you to find the papers referred to, and if I can be of service to you in any way, in furnishing any fact, or information elucidating and illustrating a fact, for the great work which I am glad to see that you have undertaken, pray command me without hesitation—

As soon as I can return to Vicksburg I will institute a search for the papers indicated, and will advise you of my success or

failure—I remember both the letters you refer to and ought to have them, but my own library was sadly plundered by the enemy, and during the siege of Vicksburg I had a great many volumes of Newspapers, all carefully bound, destroyed by the burning of Crumps Book Store where I had deposited them for safe keeping—

I suppose you are not surprised to see that some of our weak kneed patriots are already anxious to sell out, body and breeches, to Morton's puppet! You have doubtless observed, too, how quiet that eminent patriot and transcendent "Statesman," Lamar has been of late— Since he stayed a day at Cincinnati to be closeted with Murat Halstead, he has "roared as gently as a sucking doe"—And yet *he* is a representative democrat of Missi! "A little Civet. good apothecary"— But enough—

Very truly yr frd
(Signed) Wm. H. McCardle.

Mrs. S. A. Dorsey to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Beauvoir. March 10th 1877

Dear Major Walthall,

I send a parcel of Mss. as much as I could get this week. I received your two notes about the Bhp— He spent last Wednesday mrng. with us—is looking wonderfully well. Mr. Davis is better in health I think this week.

With regards
yours &c/&c
Sarah A. Dorsey

Wm. P. Johnston to Jefferson Davis.

(From Confederate Museum.)

Lexington, Va. March 13th, 1877.

My Dear Friend,

It has been a long time since I heard anything of or from you or yours; but I attribute it to that pressure of care which it falls to the lot of each of us to bear. Not knowing where you are, I direct this to Mrs. Hays to forward to you.

You, doubtless, think that the Memoir of my father ought to have been completed long before this. It would have been,

but for my taking part in the last Presidential canvass. Having gone as a Delegate to St. Louis, I was drawn on further. Being, perhaps, of a revolutionary turn, I was not disposed to forego our rights, and was in favor of the H. of R. standing on their Constitutional privileges, and putting Tilden in —*by force* if necessary. As the matter now stands, we have to submit—prisoners of War again.

I have reached in the Memoir the affairs at Henry and Donelson, which I will finish in a week, or ten days. My father's correspondence is so full that it quite clearly shows that he did all in his power. It would be a great satisfaction to me, if you could see the chapters on the War before publication. There is one especially on the failure to obtain the troops necessary for the defence of his lines that I would like to submit to you. While, of course, it was primarily due to the *apathy* of our people, the unfortunate refusal of Mr. Benjamin to allow the acceptance of 12 M[d] men, after they had been called for, seems to have exerted a bad influence. Of course, it was a mere error of judgment. At least, I so conceive it. But I should prefer that you should see my presentation of the facts, if possible.

My work has been necessarily slow. I find that nothing is easier than a rapid piling up of materials—nothing harder than the elimination of truth.

My family are all well. My daughter Rosa is expected home tomorrow after a long visit in Ky. Maggie is still there with my sister.

I would be glad to hear from you of the health and happiness of yourself and your family. I only know by report that Mrs. Davis is in Europe. With continued affection, I am

Sincerely Yr. friend

To (Signed) Wm. Preston Johnston.

Hon. Jefferson Davis.

Mrs. S. A. Dorsey[1] *to W. T. Walthall.*

(From Mississippi Department of Archives and History.)

Beauvoir, March 14th 1877.

Dear Major Walthall

Mr Davis thinks I had best send you the enclosed note. We are getting on very well this week, will send you the results on

[1] Dorsey, Sarah Anne (1829-1879), author, was born at Natchez, Miss., February 16, 1829, (maiden name, Ellis). In 1853 she married Samuel W. Dorsey, a lawyer and planter of Tensas parish, La., and became much interested in the welfare of the slaves. Her husband lost his home and a

Saturday. It is probable that you might get the "Harrison" place not far from this if you wish to rent, or Mrs Polydore's House as, she told me she would like to rent hers—There is a large house near Biloxi, belonging to the Estate of "John Watts of N. Orleans" that might suit you—It would be about 3 miles from this & as I remember it was a fine place with a great many rooms. You might learn about it from the heirs of John Watts—formerly a Commission Merchant in N. O.

Mr Davis seems to be better in health this week.

Sincerely your friend

SARAH A. DORSEY

Mrs. S. A. Dorsey to W. T. Walthall.

(From Mississippi Department of Archives and History.)

March 17th 1877

Beauvoir.

Dear Major Walthall,

I received your letter & also the parcel of paper, which we shall use hereafter. This week's work goes today. I regret that your work should be hindered by such sorrowful causes!

Mr Davis requests me to say to you, that, in this chapter in referring to the draft of the 1st constitution he mentions "Cruger Bledsoe & others" & now remembers that "Sage" should have also been named—as his assiduous labors both in England and at home claim recognition if any one is mentioned, but it has also occurred to him that if you could refer to the authorities from which they compiled it would have greater weight than citation of modern writers. Though what he has written is but a skeleton he finds it covering more pages than he expected and if you add all the muscle, flesh & sinews needful you will likely have a volume before reaching the events of the War. He wishes you had a more desirable home than yours in Mobile which would enable us to confer more frequently.

In case you should decide to come here *alone* by the week you could get boarding very reasonably at Mrs Polydore's own house —with her mother—It is about a mile from this—I hope you

large estate during the civil war, and after his death in 1875 she removed to "Beauvoir," Miss., and employed herself in authorship and as amanuensis to Mr. Davis. She died in New Orleans, July 4, 1879. Mrs. Dorsey was a stepdaughter of Gen. Charles G. Dahlgren, C.S.A. She wrote several novels, and Recollections of Henry Watkins Allen, Governor of Louisiana, 420 pp., New York, 1866.

will come at all events whenever you find it necessary, here, I can put you away *somehow*— Mr Davis begs to be presented to Mrs Walthall—

Very sincerely yours
Sarah A. Dorsey

Mrs. S. A. Dorsey to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Beauvoir. April 3d 1877.

Dear Major Walthall

I was unable to use my hand for several days last week, & Mr Davis was quite indisposed so we did not make much progress in our work, but I hope to do better this week. Mr Davis showed me your letter advising him of the contemplated call upon him of the Lee Ass of Mobile on the 18th of April— I think he is pleased at the compliment & I am glad that the gentlemen proposed it—I suppose the train will reach Beauvoir at the usual time, 8 A.M. How many members are there of this Association who will probably call here? Will you let me know privately?

I was pleased to learn that Mrs Walthall is better—Mrs Howell is with us just now.

With regard
yours sincerely
Sarah A. Dorsey—

Frank H. Alfriend[1] *to Jefferson Davis.*

(From Confederate Museum.)

Richmond, Va. April 4th, 1877.

Hon. Jefferson Davis,
My dear Sir:

If you should write the article for the Weekly Times, I assure you that the publication would neither hurt the sale of your book which is forthcoming from the press of the Appleton's, nor be a departure from the practice of authors. Indeed it is very

[1] Alfriend, Frank H. (1830- ?), author and editor, was born in Virginia about 1830, was a student at William and Mary College, 1859-1860, and from January to July, 1864, was editor of the Southern Literary Messenger at Richmond, Va. He was the last editor of that celebrated periodical, and seems to have been part owner with George Wedderburn. In 1868 his Life of Jefferson Davis was published at Cincinnati.

common for authors to publish advance sheets as a means of advertisement. In the present case I can promise you a most liberal advertising of your forthcoming book through the interest certain to be commanded by the article itself and the incidental advertisement of the paper in which it appears.

I trust that you will feel yourself authorized to write the article, and at a very early date. I should certainly never ask you to do anything that I thought injudicious or improper even though it should enure to my own benefit. In the present case, I think there is no difficulty in the way of your preparation of the work, and if I can persuade you to do it, I shall be compensated by the Proprietors of the Times.

Please do me the favor to address me at Atlanta, Ga. at your early convenience.

Very truly,
(Signed) Frank H. Alfriend,
P. O. Drawer 34, Atlanta, Ga.

Should you preface the article, the proprietors of the Times desire it to be about 2½ or 3 columns in length. Please transmit the article to me, should you determine to write it.

Mrs. S. A. Dorsey to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Beauvoir, April 5th 1877.

Major W. T. Walthall
Dear Sir.

If you carry out your proposed call upon my distinguished guest and very dear Friend on the mng of the 18th of April—I hope you will arrange to have your Car switched off at Beauvoir Station and will be able therefore to spend some hours with us. I can give you all a cup of coffee and some slight refreshment, and you may enjoy resting here and seeing the grounds &c &c before you continue your excursion—It will give me great pleasure to receive the members of the Lee Association—and to unite with them in testifying my devotion to the Cause for which we all suffered, and my admiration for the noble gentleman who has always been chief among us, and who has had even the sad pre-eminence in the common pain and suffering—I hope you will come and be received with "cead mille failthe"

Sincerely yours,
Sarah A. Dorsey.

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Beauvoir. April 5th 1877

Major W. T. Walthall
My Dear Sir

It will give me sincere pleasure to receive the Confederate Soldiers & sailors of the Lee Association on the day named in your letter of the 31st of March, unless I should in the meantime be compelled to leave Beauvoir before that day. In that event you shall receive timely notice; and otherwise please inform your associates that I shall feel especially gratified and honored by the proposed call.

Yours respectfully and truly—
JEFFERSON DAVIS

Jefferson Davis to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Beauvoir. April 5th 1877

Dear Major Walthall,

A suit of great importance to me is to be considered by the Supreme Court of Miss at the term beginning in this month.[1] It may be that I shall be compelled to go to Jackson before the date of your proposed visit, That is the contingency to which reference is made in my accompanying reply.

I received the papers you sent me and see that Genl. Chestnut quite misunderstood the object of your inquiry, and it may be that his memory is indistinct of the events, to which you called his attention. Col John S. Preston was also present & might give to you more satisfactory recollections. Capt Lay commanded the escort company and at my request left me to make the charge referred to; Genl Chestnut followed with a section of artillery at my suggestions, and I believe that was the whole amount of hot pursuit made on that field.[2]

Who is Mrs Hill? I could readily say, that I never sent her or knew of her going as a spy, indeed, I have no recollection of her whatever: but as you said this negative testimony would

[1] Suit involving the title to Briarfield, decided in Mr. Davis' favor.
[2] Battle of Manassas.

be of no use to her. If you have occasion please make my acknowledgements to Mr. Phillips in terms fitting the occasion.

I dont know whether I suggested to you a correspondence with Genl Kirby Smith as to his observation and participation upon the Field of Manassas. I hope Mrs Walthall's health is improving, and that we may soon have you for a neighbor on the Sea Shore—We have been expecting a visit from you and when you are not here I remember a great many things I should like to say to you——

Ever your friend,
JEFFERSON DAVIS

Jefferson Davis to Fitzhugh Lee.

(From Southern Historical Society Papers, vol. III, pp. 274-276.)

Mississippi City, Mississippi, April 5th, 1877.

General F. Lee:

My Dear Sir—I am gratified to know that you have undertaken to make a record of the services and virtues of a man than whom none has higher claims upon the regard of all who loved the Confederacy. No one presents an example more worthy of the emulation of the youth of his country. My personal acquaintance with General Cooper began at the time when he was associated with Mr. Poinsett in the War Office, where his professional knowledge was made available to the Secretary, in those army details of which a civilian was necessarily but little informed. His sterling character and uniform courtesy soon attracted the attention and caused him to be frequently resorted to by members of Congress having business with the War Office. Ex-President Pierce, who was then a Senator, spoke in after years of the favorable impression which General Cooper had made upon him, and said his habit had been when he "wanted information to go to Cooper instead of to the Secretary;" but while he thus brought to the service of the Secretary his professional knowledge, the latter eminently great in other departments of learning, no doubt did much to imbue General Cooper's mind with those political ideas which subsequently marked him as more profoundly informed upon the character of our Government than most others of his profession.

In the midst of his professional duties, he found leisure for high literary culture, had much dramatic taste, and in the dull days of garrison life he contributed much to refined enjoyment. When I became Secretary of War, General Cooper was Adju-

tant-General of the United States army. My intercourse with him was daily, and as well because of the purity of his character as his knowledge of the officers and affairs of the army, I habitually consulted him in reference to the duties I had to perform.

Though calm in his manner and charitable in his feelings, he was a man of great native force, and had a supreme scorn for all that was mean.

To such a man, a life spent in the army could not fail to have had its antagonisms and its friendships; yet when officers were to be selected for special duties, to be appointed in staff corps, or to be promoted into new regiments, where qualifications were alone to be regarded, I never, in four years of constant consultation, saw Cooper manifest prejudice, or know him to seek favors for a friend, or to withhold what was just from one to whom he bore reverse relations. This rare virtue—this supremacy of judgment over feeling—impressed me as being so exceptional, that I have often mentioned it as a thing so singular and so praiseworthy that it deserves to be known by all men.

When in 1861 a part of the Southern States, in the exercise of their sovereignty, passed ordinances of secession from the Union, and organized a separate Confederacy, General Cooper was at the head of the corps, in which a large part of his life had been passed. This office was one for which he was peculiarly qualified, and which was best suited to his taste. He was a native of a Northern State; his sole personal relation with the South was that he was the husband of a granddaughter of George Mason, of Virginia—Virginia, not yet belonging to the Confederate States. He foresaw the storm, which was soon to burst upon the seceding States—saw that the power which had been refused in the convention which formed the Constitution of the Union—the power to use the military arm of the General Government to coerce a State, was to be employed without doubt, and conscientiously believing that would be violative of the fundamental principles of the compact of Union, he resigned his commission, which was his whole wealth, and repaired to Montgomery to tender his services to the weaker party, because it was the party of law and right.

The Confederate Government had no military organization, and, save the patriotic hearts of gallant men, had little on which to rely for the defence of their country. The experience and special knowledge of General Cooper was, under these circumstances, of incalculable value. If he would consent, while his juniors led armies in the field, to devote himself to the little attractive labors of the Adjutant-General's office—if he would

consent? They little knew the self-sacrificing, duty-loving nature of Cooper, who did not anticipate his modest request "to be employed wherever it was thought he might be useful," and with unrelaxing assiduity he applied himself to the labors of the Adjutant-General's office. The many who measure the value of an officers' service by the conspicuous part he played upon the fields of battle, may not properly estimate the worth of Cooper's services in the war between the States, but those who like yourself were in a position to *know* what he did, what he prevented, what he directed, will not fail to place him among those who contributed most to whatever was achieved.

Faithful to the cause he espoused—unmoved by the prospect of disaster, when the fortune of war seemed everywhere to be against us—Cooper continued unswerving in the discharge of his duty, and when the evacuation of the capital became a necessity, he took with him such books and papers as were indispensable, and although worn down by incessant labor, never relaxed his attention to the functions of his office until disease compelled him to confess his inability to continue the retreat. The affection, the honor and the confidence with which I regarded him made our parting a sorrowful one, under circumstances so hard for us both. Of the events which followed his return to the spot where his house *had* stood, you are so well informed that I will not protract this already long letter.

I remain with great regard and affectionate remembrance,

Yours,

(Signed) Jefferson Davis.

Wm. H. McCardle to Jefferson Davis.

(From Confederate Museum.)

Columbus, Missi.
April 6, 1877.

Hon. Jefferson Davis,
Mississippi City—Miss.

My dear Sir—

Having been detained here greatly beyond my expectations, I wrote to a friend in Vicksburg to institute a search for your letter of 1845 on the Celebrated "Briscoe bill," and the one of 1847 to John Polk, [James K. Polk] declining the appointment of Brig Genl—

The first letter has been found, and my son Will McCardle has instructions to make an exact copy and forward to you by mail without delay— The letter to Mr. Polk, I hope to have

found also, and as soon as this can be done I will have that also copied and forwarded to you— I shall look forward with great interest to your book as a complete vindication of yourself and our people, as well as a thorough and stinging ventilation and exposure of certain military and political charlatans who blindly imagine that all wisdom will die with them— The *truth* as you will tell it will be your own complete vindication, and the utter overthrow of the men who have falsely and meanly aspersed you—

If, in the progress of your labor you should think of any point, in the elucidation of which I can, in any way, aid you, I beg that you will command me without hesitation, as it will afford me pleasure to serve you at all times and in any manner within my power—

If you are near Genl. Joe R. D., please present me kindly and respectfully.

Very truly yr frd
(Signed) Wm. H. McCardle.

Wm. P. Johnston to Jefferson Davis.

(From Confederate Museum.)

Lexington, Va. April 19th, 1877.

My dear Friend.

Yesterday I received from Major Walthall a letter to which I replied, which I suppose he will communicate to you. Today, I had the pleasure of receiving your letter of the 14th inst. I am delighted to learn from an authentic source that you are engaged in the preparation of an account of your official career, which you owed to yourself as well as to your country. This sort of work, though painful in some of its aspects, is not without its satisfaction, and compensations. I trust that you may find not only occupation, but relief from mental tension in the work.

I should prefer for you to see my book in mass and not in detached fragments, if possible; as thus you will perceive more clearly the feeling (especially towards yourself) that pervades it. I have not thought it necessary or proper to make it an *apology* for my father or for you; but have let the facts appear as they arose, satisfied that they contain their own best vindication. Neither have I sought to fix blame here or there on either superiors or subordinates.

You can well believe that I know and realize your affection and regard for my father.

I have just finished the narrative of the disaster at Fort Donelson roughly, and hope to get through with my work in a couple of months. My book is ready for the printer down to Fort Donelson, except one or two chapters, which will need revision. If you will be at any point accessible to me in the next three months, I would prefer to read it to you myself. If not, I will send you the *Mss.* on the War to Mississippi City or elsewhere, as you may direct.

I am glad to hear of Maggie's happiness.[1] I trust that the better climate of her present residence may improve Mrs. Davis.

We are all well, and changed in nought except that my children have all grown much. It would give both Mrs. Johnston and myself great pleasure, if you would visit us. You would be in a Confederate Rock of Gibraltar, and after April this is a perfect climate. You would be at home with us.

Very sincerely and respectfully,

(Signed) Wm. Preston Johnston.

Hon. Jefferson Davis.
Missi. City.

G. W. C. Lee to W. T. Walthall.

(From Confederate Museum.)

Livingston, Va.
20th April, 1877.

My dear Major:

I received this morning your letter of the 16th inst., and regret to say that I can give you no clue to the missing letters; neither can I tell you anything of Capt. O'Donnell.

My father's letter books, etc, were destroyed, during the retreat from Richmond, by those having them in charge, for fear they would fall into the hands of the enemy.

It is likely that Col. Charles Marshall (Marshall & Fisher, Attorneys at Law, Baltimore, Md.,) who acted as my father's secretary nearly the whole time that he had command of the army of Northern Va., has copies of some of his letters to Mr. Davis. I gave him copies of two or three written just before and after the evacuation of Petersburg, and it is probable that he has others.

I am indeed sorry that the letters referred to have disap-

[1] Marriage to Addison Hayes,

peared, as they may be the only copies extant of some of them; but I hope they may come to light again.

Please remember me kindly to Mr. Davis when you next see him, and believe me to

Very truly yrs.

Maj. W. T. Walthall, (Signed) G. W. C. Lee.
Mobile, Ala

Mrs. S. A. Dorsey to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Beauvoir, May 1st 1877.

Dear Major Walthall,

Your letter enclosing the copy of Col W. P. Johnston was duly received. Mr Davis is still here so I gave both letters to him & he read them. He will leave in a few days for N. Orleans where business compels him to stop for a day or so. He is *really* not *able* to bear the fatigue of a visit to the Fair at Mobile—He is too weak—so that he will be obliged to decline the invitation—He is better than when he came to me but is still very fragile in health. He is troubled about his affairs & anxious about his wife's health, which is not much improved. She is not yet able to quit Germany for England. She wishes to return home if possible next month, but it is doubtful whether she can bear the voyage—So he is in a very troubled condition of mind & in no temper for making speeches— I have not been able to get him to work steadily lately at the "Reminiscences" but I have copied some papers which he will send to you himself— I do not like to urge him beyond his strength. He will return as soon as he can though his movements must be governed by his wife's health & its requisitions. He hates to make the effort to travel—but I shall not be surprised if he finds *himself compelled to cross over to England at any time.* His purpose is to return here & go on with his work *if possible*— He desires me to call your attention to a passage in Cl Von Bucke's "Memoirs of the Confederate War" on page 432 where he speaks of Genl. Bragg's refusal to go to Stuart's aid— Mr Davis thinks Bragg was in his office in Richmond & not in active service—& could not go— Mr Davis advises you to see whether Mrs Bragg has no letters &c touching upon this matter. He thinks it an unjust aspersion of Genl. Bragg.

I have sent to ask Mrs Polydore about the furniture requesting her to state the amount of rent she would require by the year.

I have had no reply yet. I hope you will receive a satisfactory report from Mr Heywood, as I think the "Glenhume" place would suit you.

Mr Davis' speech appeared in the N. O. Times evening edition a day or two since & Major St Paul sent a copy of the Mobile Register to Mr Davis containing his article—*your report* in N. O. Democrat was in better taste.

We had Genl. S. D Lee with us last Sunday—& to-morrow we are to have Judge & Mrs Arnold.

The "Brees" is at Miss Walthalls' disposal—

With regards
I am very truly
your friend
SARAH A. DORSEY.

Jefferson Davis (per Mrs. S. A. Dorsey) to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Beauvoir. May 3d 1877.

My Dear Major Walthall

In the Mss. sent you on the true meaning of the words in the Preamble of the Constitution, "*We the People of the U. S.*" in which the fact was noticed that the designation "U. S." was not new, but found also in the Articles of Confederation, where was also found the declaration that each state retained its sovereignty &c I fear we made no reference to the fact that the title was not new, even then but adopted from the language of the Declaration of Independence, where it appears in the caption as well as in the conclusion being three times used & finally *defined* as meaning *states* having full power to levy war, establish commerce &c &c— Now as the Constitution had for its chief purpose the regulation of commerce & did in no wise change the character of the States & gave to the Union no more Title, but employed that used from the first inception, it may be important perhaps to notice the fact, that this very title relied upon by the consolidationists, to prove that the states lost their federative powers & became a nation was the same used by their Representatives when they agreed to act in concert to maintain the Independence they had severally asserted.

Yours respectfully
SARAH A. DORSEY
for
MR. DAVIS.

Geo. Shea to Jefferson Davis.

(From Confederate Museum.)

New-York, May 9, 1877.
205 West 46th Street.

My dear Sir,

I am in the midst of preparations for leaving this afternoon for England on board the Scythia, and I take my family with me. But I take a few moments to say a few words, however hastily written, upon a subject from which some contribution towards good might be encreased. Mr friend, the Hon: Stewart L. Woodford is invited by the Societies of the University of Mississippi to deliver an address before them next June. The faculty have, as I am told, made for him a sort of special occasion. The address will not be on a mere literary subject, but will take hold of those political not partizan questions which chiefly interest true Southern beneficial objects, and its spirit will like unto that which actuated Governor Andrew in his Address to the Massachusetts Legislature in 1865—a spirit which, if it had been allowed to control our government, would have relieved the South, all at once, from the bitterest yield of the war and given to it the management untrammelled of its own internal state affairs. Governor Woodford in 1867–72 was in heart and act with Mr. Greeley and your humble servant in all good intentions and deeds toward the South—and, though a Republican, he has never encouraged an unkind thing to be thought or done to any Southern man or interest. *He is very near in council to President Hayes:* and what he says may safely be inferred to be in harmony with the President's designs and purposes.

It is the wish of such as myself here that Gov. Woodford should receive while in Mississippi that *social* recognition and hospitality which more than anything else smooths asperities and makes friendly dispositions confirmed. He is a gentleman and wishes to be of use to our friends who want the Southern States to be relieved entirely from the blighting curse of those bonds which are infesting your fair places. Leave the South to her own inherent energy and she will soon revive and resume her old prosperity. May I suggest that you do what your judgment may approve as prudent and kind in bringing about Gov: Woodford that *social* recognition and hospitality? I would not ask it for *his* sake: but I abate nothing of my fulfillment of my dear friend's Greeley's mission to leave no opportunity

unimproved which tends toward the resurrection of *one* cherished doubt.

I write hastily: crudely in thought: but my feeling and fair intent will redeem the bad mechanism of my letter.

My respects to Mrs. Davis.

With great esteem and respect for yourself,

Yours faithfully

To the (Signed) Geo: Shea.

Hon: Jefferson Davis.

Jefferson Davis to Rev. J. William Jones.[1]

(From Southern Historical Society Papers, vol. III, pp. 302-303.)

Mississippi City, Harrison County, Miss.,
15th May, 1877.

Rev. J. William Jones, Secretary:

My Dear Sir—I have read with great satisfaction the back numbers of the *Papers of the Southern Historical Society*. The future historian, to do justice to our cause and conduct, will require the material which can only be furnished by contemporaneous witnesses, and a great debt is due to the Society, and especially to you, for what you have done and are doing to save, while there is yet time, the scattered records and unwritten recollections of the events of the war against the Southern States.

Various causes, and not the least among them, such entire confidence in the righteousness of our cause as give assurance of a favorable verdict, have prevented our people from preserving, or even carefully preserving, the material on which the verdict must be rendered by future generations.

[1] Jones, John William (1836-1909), a clergyman and author, was born at Louisa, Va., September 25, 1836, and graduated at the University of Virginia in 1859. He studied theology at the Southern Baptist Seminary, Louisville, Ky., and was about to go to China as a missionary when the civil war began. He enlisted in the Louisa Blues; was chaplain of the command of A. P. Hill and Stonewall Jackson and served throughout the war. He was a leading figure in the great religious revivals in the army. He was pastor of a church at Lexington, Va., 1865-1871; and was chaplain at Washington and Lee University during the incumbency of General Lee as president. From 1876 to 1888 he was active as secretary of the Southern Historical Society, assembling a mass of valuable material relating to the war. Dr. Jones was the author of several books; Personal Reminiscences . . . of General Lee, 509 pp., N. Y., 1874; The Davis Memorial Volume, 672 pp., Richmond, 1890; Life and Letters of General Lee, 486 pp., N. Y., 1906; et al. He died at the home of his son, in Columbus, Ga., March 17, 1909.

The Society has done much in exposing and refuting the current slanders in regard to treatment of prisoners of war. That was most needful for the restoration of good feeling, and should be welcome, beyond the limits of the vindicated, even to all who respect truth and eschew deception.

There are many brilliant exploits, concerning some of which there are no official reports extant. In such cases, the recollection of actors would be a valuable contribution to our war history. You have done so much to excite a willingness to furnish the material for history, that it may be hoped you will be able to draw from those to whom it is rather a dread than a pleasure to see themselves "in print," special statements, such as any one can prepare who can write a business letter. It is not style, but facts which are to be regarded.

With the hope that the interest felt by the public in the patriotic work of the Society will be increased by the manifestation of its power for usefulness, and with cordial regard for you personally, I am, yours faithfully,

JEFFERSON DAVIS.

J. P. Benjamin to Jefferson Davis.

(From Confederate Memorial Hall.)

Temple 17 May 1877.

My Dear Friend.

Your letter of the 29th March arrived whilst I was temporarily absent from London and pressure of engagements interfered with my search for old papers necessary to enable me to answer with any confidence in the accuracy of my statements.

I enclose you herewith a copy,—
1st,—of original draft instructions as prepared by me;
2nd,—of instructions as sent after modifications by you;
3rd,—of the Report of the Commissioners (I have the *original* report in my possession).

I think you will see by comparing my draft and your amendment, the cause of Mr. Hunter's statement which is partially but not entirely inaccurate.

The instructions were, if my memory does not betray me, discussed in the presence of one or more of the Commissioners, but however that may be, my idea was to make them as vague and general as possible, so as to get at the views and sentiments

of Mr. Lincoln and to test the reality of the peace intentions represented by Mr. Blair to actuate him. You feared that under the purposely vague language which I had proposed, it might be represented that you had implicitly assented to the import of the last sentence of Lincoln's letter, "peace to the people of our one common country," and were unwilling to subject yourself to such misconstruction as involving an apparent betrayal of the trust reposed in you as the President of the Confederate States. I could not but yield to an objection based on such a motive, and to this extent and no more, Mr. Hunter's statement is correct, but if the idea conveyed by his whole statement (which unfortunately you did not send me) is that I in any way dissented from, or disapproved of a refusal to confer on the basis of our being "one country" the rumor is entirely unfounded. You thought from regard to your personal honour that your language ought to be such as to render impossible any malignant comment on your action. I did not anticipate the possibility of such a perversion of your motives, and was anxious to keep out of view any topic that might defeat the object of the proposed conference, but *not* at the risk of any assault on your character or honour.

As soon as the possibility of such a result was pointed out by you, I at once abandoned all dissent from the proposed amendment.

The above is, I believe, a perfectly accurate statement of what occurred, but human memory is fallible, and after a lapse of twelve years of a very busy life, it is just possible that I may have *omitted,* but I certainly have not miss-stated any thing.

Yours ever faithfully
(signed) J. P. Benjamin.

endorsed: Copy; letter from Hon. J. P. Benjamin; Temple (London Eng.) 17 May 1877, with papers relative to the Hampton Roads Conference.

COPY.

Draft Instruction prepared by Secretary of State for Messrs. Stephens, Hunter and Campbell.

Washington, Jany. 18, 1865.

F. P. Blair, Esq.,

Sir:

Your having shown me Mr. Davis' letter to you of the 12th inst., you may say to him that I have constantly been, am now,

and shall continue, ready to receive any agent whom he, or any other influential person now resisting the national authority, may informally send to me, with the view of securing peace to the people of our one common country.

Yours &c.
(Signed) A. LINCOLN.

Richmond, Jan. 28, 1865.

Hon. R. M. T. Hunter,
Sir:

In compliance with the letter of Mr. Lincoln of which the foregoing is a copy, you are hereby requested to proceed to Washington City for conference with him upon the subject to which it relates.

With great respect,
Your obt. svt.

The above draft letter to Mr. Hunter was amended by the President, and the letter of instructions as amended and signed by him was as follows,

"In conformity with the letter of Mr. Lincoln of which the foregoing is a copy, you are requested to proceed to Washington City for informal conference with him upon the issues involved in the existing war and for the purpose of securing peace to the two countries.

Your obt. svt.
(signed) JEFFERSON DAVIS.

Report made by Messrs. Stephens, Hunter, and Campbell, to each of whom the foregoing instructions were addressed.

Richmond, Va. 5 Feby., 1865.

To the President of the Confederate States,
Sir,

Under your letter of appointment of the 28th ult. we proceeded to seek "an informal conference" with Abraham Lincoln President of the United States upon the subject mentioned in the letter. The conference was granted and took place on the

30th inst., on board of a steamer anchored in Hampton Roads where we met President Lincoln and the Hon. Mr. Seward Secretary of State of the United States.

It continued for several hours and was both full and explicit. We learned from them that the message of President Lincoln to the Congress of the United States in December last explains clearly and distinctly his sentiments as to the terms, conditions and method of proceeding by which peace can be secured to the people, and we were not informed that they would be modified or altered to obtain that end.

We understood from him that no terms or proposals of any treaty or agreement looking to an ultimate settlement would be entertained or made by him with the authorities of the Confederate States, because that would be a recognition of their existence as a separate power, which under no circumstances would be done; and for a like reason that no such terms would be entertained by him for the States separately; that no extended truce or armistice, (as at present advised) would be granted or allowed without a satisfactory assurance in advance of the complete restoration of the authority of the Constitution and laws of the United States over all places within the States of the Confederacy.

That whatever consequences may follow from the re-establishment of that authority must be accepted. But that individuals subject to pains and penalties under the laws of the United States might rely upon a very liberal use of the power confided to him, to remit those pains and penalties if peace be restored.

During the conference the proposed Amendments to the Constitution of the United States adopted by Congress the 31st ulto. was brought to our notice.

These Amendments provide that neither slavery nor involuntary servitude, except for crime, should exist within the United States or any place within their jurisdiction, and that Congress should have power to enforce this Amendment by appropriate legislation.

Of all the correspondence that preceded the conference herein mentioned and leading to the same, you have heretofore been informed.

Very Respt.
Yr. obt. svts.
(signed) Alexander H. Stephens,
R. M. T. Hunter,
J. A. Campbell.

J. Stoddard Johnston to Jefferson Davis.

(From Confederate Memorial Hall.)

State of Kentucky,
Office of the Secretary of State
Frankfort, May 28th 1877.

Hon. Jefferson Davis,
Mississippi City,
My dear Sir;

Your letter in regard to the publication of the telegrams furnished you some years ago between Gen. Joe Johnston and Gen. Breckenridge at the close of the war, was duly recd. and I am glad to infer that you are preparing an authentic memoir of the war. I should have replied earlier, but for absence first and later from the sudden death of my brother which has greatly afflicted me. I inclose a notice of the sad event. You may recall him as Hill was very fond of him and procured for him an independent command with Blackburn in the Miss. valley.

Begging to be remembered affectionately to Mrs. Davis, and assuring you of my lasting friendship and esteem,

I am very sincerely yours,
J. Stoddard Johnston.

endorsed:
Col. J. S. Johnston.

J. A. Early to Jefferson Davis.

(From Confederate Memorial Hall.)

New Orleans, May 30th, 1877.

Dear Sir:

I regret very much that I did not see you when you were in this city. Your card was not received by me until after 5 P.M. yesterday, and that was the first intimation I had that you had been here, and you were then gone.

Mr. Jones, the Secretary of the Southern Historical Society, informed me, in a letter received three or four days ago, that you intended having my notice of the Count de Paris' book translated into French, and published in some French journal. As the article in the Southern Historical Society Papers contains some rather awkward typographical errors, I have corrected a copy and herewith send it to you, in order that the errors may not be continued in the translation.

I sent a copy in manuscript to the Count, along with a letter

on the Campaign in Pennsylvania and the Battle of Gettysburg, in reply to some points suggested by him upon which he desired to have the views of several Confederate Officers, including myself.

From one or two letters which he has written to Mr. Jones, he appears to be well disposed, but he is very badly informed in regard to all questions relative to our struggle. I therefore made my comments on his book as mild as possible.

Last year I had a controversy with Longstreet in regard to the Battle of Gettysburg, and as I think it possible you may not have received the copies of my articles, which were sent to you at Memphis, I now send other copies. After the publication of my last article I received a letter from Genl. A. L. Long, who was on Genl. Lee's staff at Gettysburg, stating that Longstreet arrived in person on the field at Gettysburg on the first day, after the close of the fighting that day, when doubtless he received his orders in person. Long also says that Genl. Lee was very impatient all the morning of the second, and went there several times to meet Longstreet and hurry his march.

I have also a copy of a letter from Governor John Lee Carroll of Maryland to Fitz Lee, in which he says that shortly after the War, General Lee told him that if Longstreet had obeyed his orders and attacked early instead of late, we would have gained the victory at Gettysburg. Of this I have never had a doubt myself.

I regretted the necessity of the controversy with Longstreet, but his communications were of such a character that I could not avoid it.

When I was in New Orleans last winter, I was very much astonished at his calling at the St. Charles, and leaving his card for me in my absence. Though I was at first puzzled as to how I should meet this advance on his part,—yet I became convinced that his sufferings from his tergivisation had been so great, that I could not but have compassion on him, so when we met on the street I shook hands with him.

I am glad to hear that your health is good, and trust that I may have the pleasure of meeting you this summer.

I will return to Virginia the last of next week.

With the highest esteem, I am

Very Respectfully and truly,

Yours,

J. A. Early.

Hon. Jefferson Davis.

endorsed: Genl. J. A. Early; ansd. 1st June 1877;

W. H. McCardle Jr. to Jefferson Davis.

(From Confederate Memorial Hall.)

(Vicksburg, Miss. April 22nd, 1877.)

Hon. Jefferson Davis,
Mississippi City,
Honored Sir,

I herewith send you a copy of your letter to the Vicksburg Sentinel on the "Bank question" dated at Briarfield July 5th 1845,[1] under instructions from my father who is at present in Columbus Miss. His other letter will be copied and forwarded to you as soon as it can be found. Mr. M. Shannon is only person possessing any of the old newspaper files of that day, that I know of, and is endeavoring to find the one you wrote to father in regard to it. With my kindest regards and best wishes for your success,

Remain most respectfully yours &c.
dated W. H. McCardle Jr.
Vicksburg Miss.
April 22nd, 1877.

Burton N. Harrison to Major W. T. Walthall.[2]

(From Confederate Memorial Hall.)

New York, June 1, 1877.

My Dear Major:

I am a little afraid even at this late day to mail here a letter addressed to Mr. Davis. Partly for that reason, and partly because I want you to read it first, I enclose to you the accompanying letter and copies intended for him. Please read it and then forward it to him.

You will observe what I say about our friend Col. Jones. He is, I hear, at Augusta, Georgia, now. Thro' Genl. Gilmer and Genl. Lawton, at Savannah, Dr. Campbell (at Augusta) and

[1] See letter of that date.

[2] In the early part of 1877 Major W. T. Walthall, who assisted Mr. Davis in his historical labors, made a trip to New York for the purpose of conferring with Col. Harrison concerning the whereabouts of that portion of the executive achives of the Confederate government which had not been captured by Federal cavalry and sent to the War Department. After his return to Mississippi Col. Harrison sent through Major Walthall to Mr. Davis this very graphic account of the preservation of the papers.

Senator Gordon, he can see his way to active cooperation with Mr. Davis even if his inclination should be otherwise.

Being now in the South, and surrounded by Southern people, his sentiments in such a matter will not be what they might be here. I understand that his ambition is to be President of the University of Georgia; he can't realize that if a half dozen leading citizens of the State, such as I have mentioned, have any reason to think ill of him in such a case as this

If Mr. Davis will write him a polite letter, and if so good a diplomatist as you will then *take charge of the negotiations*, I have no doubt you will get all those letters.

Very truly yours,
BURTON N. HARRISON.

Major Walthall)

Endorsed: Burton N. Harrison with various MSS. for Ex-Prest. Davis, New York, 1 June, 1877. recd. 8 June 1877.

Burton N. Harrison to President Davis.

New York, May 24, 1877.

My dear Mr. Davis:

Your Letter of 19th inst. reached me today. I fully appreciate the importance of the Letters, from General Lee and others, to which you refer, and, until the publication of Genl. Lee's letter written to you after the Battle of Gettysburg, I had hoped that all the papers which were in my possession in 1866 and 1867 were safe. The appearance of that in a Magazine astonished and alarmed me, and when Major Walthall was here I gave him a full account of all the facts within my knowledge on the subject. The first time you are able to talk to him with reference to what occurred here during his visit, he will repeat to you what was then said by me and by others. Of course I shall cheerfully assist in every way in the recovery of what is missing.

I think that Major Walthall received from me all the papers which you refer to as having been once in the custody of Mrs. Leovy. The pillaging was not done from *that* collection, but from another.

You will recollect, perhaps, that I was sent out of Richmond by you to escort Mrs. Davis, Miss Howell and the Children, to Charlotte N. C. a few days before Richmond was evacuated.

Previous to starting, I had caused *all* the papers which were on the files in my Office to be boxed up ready for removal.

When, after establishing Mrs. Davis at Charlotte, I joined you at Danville, you had already been there for several days, and I found that Mr. Clark (my Clerk) had brought all the boxes out of Richmond safely. Danville was abandoned within, I think, twenty four hours after I joined you there. I accompanied you as far as Charlotte, and, finding that Mrs. Davis had gone thence, I was sent by you to overtake her. The boxes were carried by Mr. Clark as far as Abbeville S. C., and there (I not then being present, but being in Georgia with Mrs. Davis) the boxes were opened by Col. Johnston, Col. Wood and Mr. Clark, and most of the papers were destroyed by them. Their object appears to have been to reduce the bulk of the parcels, so as to make it practicable to save the more valuable papers; but, as they were necessarily hurried in their examination of the papers, it is not improbable that, among those which were destroyed, were some which would now prove of value. They seem to have intended to carry with them the papers they did not destroy, but finally left them at Judge Monroe's (Mrs. Leovy's) house in Abbeville; and that noble woman and her devoted sister afterwards conveyed the papers to New Orleans, and, finally, to their Country home at Pass Christian.

When I reached New Orleans, in March 1866, after my release from Fort Delaware, I was the guest of the family for a night at Pass Christian, and, next morning, the papers, which were in an old Coffee-sack, were put into a trunk and were taken by me to New Orleans, where they remained at Col. Leovy's house until I had established myself in New York; they were then sent here, by Col. Leovy, in an old goods-box, which was much too large for them, and the extra space of which was filled with some old matting &c to keep the papers from damage in travel.

Some of those papers are of course interesting—but I fancy that most of them had no great value for what I suppose to be your present needs.

Among the papers which were on the files in *my* Office were, I think, none from General Lee; but there were some letters from Gnl. J. E. Johnston, written to you in 1861 and (perhaps) early in 1862. I can recall nearly or quite the words of a passage, in one of those letters from General Johnston, which I read shortly before we left Richmond. It was written from (I think) Bunker Hill, near Martinsburg, shortly before the first Battle of Manassas, and impressed me as being a curious commentary upon his

subsequent career as the Commander of Armies. He spoke of his troops as being raw, and as inferior to the enemy in numbers —but indicated several Regiments (I recollect that the 11th Mississippi was one of them) which he said were nearly or quite equal to any in the Regular Army of the U. S. He remarked upon the fact that Genl. Patterson was in Martinsburg, in a position easily defended, and, (saying that he (Johnston) could not long keep his Army where it was,) expressed the wish that Patterson would attack him. He added: "If Patterson does not soon attack me, I shall attack him—for in battle there is always a chance of success, whereas a retreat, before an organized Army, is, in its effect even upon disciplined troops, generally equivalent to a defeat."!

I probably opened the box when it arrived here from Col. Leovy's; but I do not recollect whether I ever examined its contents, until Major Walthall and I looked through some of the bundles of papers together.

Your correspondence with General Lee is all the more valuable because it was intimate and personal. When his letters were brought by Courriers, or when recognized by his handwriting, if brought otherwise, they were, with few exceptions, delivered to you unopened. I have seen *Col. Ives* open a letter just arrived from General Lee, but I think that I never did so—and they rarely, if ever, went on the files in *my* Office. They often remained, for months, on *your own table,* in the Office occupied by you, and were then generally carried by you to your house, where they recruited piles of other letters which had accumulated on the table in the room near your bed room.

As I was not in Richmond when that place was evacuated, the papers remaining until that time in *your* Office were carried to your house by Mr. Clark and Col. Wood.

The latter is here now, and he tells me that he and Clark put some at least of those papers, and some at least of those which were on the table in the room near your bed room, into *my* trunk—which was in the room I had occupied on the floor above your bed room. That trunk was carried by Mr. Clark as far as Washington, Georgia, to which place he had accompanied you from Richmond—and there it was left in charge of Mrs. Robertson, at whose house I had, a few days before, been a guest, and where you and your party were guests for a night. Her husband, Dr. Robertson, was the Cashier of a Bank at Washington —and they lived, as you will recollect, in the building occupied in part by the Bank. Sometime after I had removed to New

York, Mrs. Robertson forwarded the Trunk to me here. When I opened it here, I became aware (for, so far as I can recollect, the first time) that some of your papers were in it—and, among them, I saw a number of letters from General Lee, and (among other things) your Mem. of your interviews in Richmond with Francis P. Blair, with the letters of Mr. Lincoln and General Grant on the subject of Blairs "mission." Those papers were on top of a lot of old clothes, of no value, which nearly filled the trunk. In the collection were also a few papers which must have been put into the trunk at Danville, or at one of the halting places upon the march through the Carolinas and into Georgia, being dispatches sent to you after you had left Richmond.

Living as I was, for several years after I came to New York, first in one boarding house and then in another, I had no safe place of my own in which to keep the papers, and so deposited the trunk, and also the box which had been sent to me by Col. Leovy, in a warehouse—where they remained until the Summer of 1870 when, at the suggestion of Col. C. C. Jones Jr., they were removed to his house in Brooklyn. I do not recollect whether I made any examination at that time as to the contents of either the trunk or the box; but, until the occurrences to be mentioned below, it did not enter my mind that there would ever be any question as to whether they then contained the papers which had come to New York in them.

Col. Jones seemed to be a very proper person to take charge of them; and his house, a very safe one, was already the place of deposit of other things of such value as probably to be sure of supervision against either fire or thieves. He had no authority from me to publish any of the papers or to make use of them —though it was understood that he would look through the papers and arrange them—an occupation which, he said, would be interesting to him; indeed, to protect the papers against mice or mould or other damaging Agent, it was proper that they should be overhauled.

I never saw any of the papers again until I called at Col. Jones' house—when Major Walthall was present; and all of them which I then received from Col. Jones were handed over, on the spot, to Major Walthall, as you had requested. Major Walthall will tell you of the conversation then had by Col. Jones and me with reference to the letters which had been in my trunk —and particularly with regard to General Lee's letter, written to you after the Battle of Gettysburg; and which had been published by Col. Jones, in "Scribners Magazine," in the summer of 1876.

I may say here, that I remarked to Col. Jones that I remembered that letter very well, expressed my surprise that it had been published and asked where were the other letters from General Lee which had been in my trunk. Col. Jones replied that there were no letters from General Lee in the trunk when it reached his house—that the one he had published had been lent to him by some person in Richmond (whose name he did not mention). He added that he (Col. Jones) then had in his possession other letters from General Lee to you, which he said, he (Col. Jones) had borrowed from persons in Richmond. I expressed my surprise at the suggestion that any letters addressed to you had come into the possession of persons in Richmond; he said that several people there have such things. After further conversation, I opened my trunk—and Major Walthall looked through it with me; the old Clothes were there, but we discovered no papers of any value. When the trunk was sent to my house, a few days afterwards, my Wife searched more carefully through it, and, with a few papers of no value, found several letters and dispatches, among which is the letter written by General Lee to the Secretary of War, shortly before the lines around Petersburg were abandoned, giving, very cautiously, his views as to the then general situation. I send you, with this, copies of all of those letters and dispatches. My wife hopes to keep the originals, as mementoes; she has, I think, no other letters or papers of any interest in reference to the war. I have none whatever. The copies which are enclosed, I have myself carefully compared with the originals; they are made *literatim*. The originals were among the papers placed in that trunk by Col. Wood and Mr. Clark—and, if you desire the originals, my wife will, of course, cheerfully surrender them to you.

The Mem. in your own hand, of your conversations with Mr. Blair, and the accompanying papers, were delivered to me by Col. Jones with the other things, and I handed them to Major Walthall. They had been in that trunk, (put there by Col. Wood and Mr. Clark;) but had been taken out by me in 1866 or 1867, when I made a copy of them for our late friend Wm. B. Reed. The Copy was given to Mr. Reed with the understanding that it was for his own information only; but, in 1875, the Editor of a Historical Magazine here told me that Mr. Reed had given it to him for publication, and he probably published it in 1875 or 1876,—tho' I protested to him against his making any use of it without your sanction. The original was separately deposited by me in 1870 or 1871 with Col. Jones, to be kept with

the other papers; and it was in a separate parcel when he returned it to me in Major Walthall's presence.

When I took those papers from the trunk, I also took out the bound volume of "Statutes at large of the Confederate States 1861-64" which was on your table at the Executive Office, still has your book marks in it, and has been kept by me as a memento of you. It shall be sent to you, if you desire it.

I do not remember having ever taken any thing else out of that trunk—and the only object in sending that trunk to Col. Jones' house, in 1870, was to get the papers it contained into a safe place. So far as I know, neither the trunk nor the box was opened by any body except myself until both were sent to Brooklyn, upon the same truck.

The papers which had been in the box sent by Col. Leovy, were removed by Col. Jones from that box, and were in bundles of convenient size when he delivered them to me and I handed them over to Major Walthall. We looked through some of the bundles at the time—and I think Col. Jones then said he had never examined them.

I do not recollect ever having seen the communication to you, in cypher, from Genl. A. S. Johnston, sent just before the Battle of Shiloh—to which your letter to me refers.

The letters from Genl. J. E. Johnston, which I have mentioned above, were all (I think) written before he had ceased to be in cordial relations with you—and, so far as I remember, their contents were of only a general value.

It is to be hoped that they and the letters from General Lee are all still in existence—and that they can be recovered. I shall cheerfully assist you to do so, in every way which can be followed to that end.

Major Walthall will tell you of our agreement as to the danger of destruction of the papers—if the pursuit of them be not conducted with diplomatic regard for the feelings of the custodians of them. Of course you have the legal title to all letters and other papers addressed to you, which were ever in your possession, and to which you have never given anybody else a title; and I cannot suppose that any Southern man or woman would ever attempt to withhold any such paper from you, if you should demand it. Whoever the persons in Richmond may be, referred to by Col. Jones, they will probably give up any letters of that kind—and even people who prize such things as autographs (and the autograph hunter is apt to be unreasonable) can probably be prevailed on to furnish you

copies, and to give you access to the originals, if they refuse to surrender those originals to you.

Col. Jones has recently removed from here, and has returned to Georgia; he is said to be either at Augusta or at Savannah. Our friends, General Gilmer and General Lawton, are probably in communication with him. He (Col. Jones) has cultivation, and is a student and writer of history; he has the reputation of a man of spirit and integrity. If appealed to by you, I have no doubt he will promptly render you every aid in the object now before you. Indeed, if I recollect aright, he expressed to me and to Major Walthall, a readiness to do so. He will, perhaps, furnish you at once with copies, at least, of all the letters from General Lee which he spoke of to me and to Major Walthall; and he will of course indicate the persons in Richmond he spoke of as the owners of the originals.

I venture to suggest that before you take any steps, however, in these matters, it will be useful to *talk* with Major Walthall concerning all that occurred and was said, when he was here, on these subjects.

It is proper to add, that I have read this letter to Col. John Taylor Wood, who, as I said, is now here on a visit, and who (with Mr. Clark) packed the papers in my trunk in Richmond. He says that it is impossible that any letters or papers addressed to you, and which were at that time in your house or office, should have *at that time* gone into the possession of anybody whatever in Richmond—that he is confident that *all your papers* (those at your office as well as those at your house) were carried out of Richmond with you. And, finally, for my own part, I may say that I cannot conceive how any of the papers mentioned or referred to by Col. Jones could *ever* have got into the hands of the people of Richmond.

I hope that Mrs. Davis is to be here on her return from Europe, and that I shall then find her in good health and spirits.

Very truly your friend always
BURTON N. HARRISON.

P.S. This Letter has been written as opportunity offered during several days, and with many interruptions. I hope that it will be found coherent and intelligible—and am sorry it has grown to such length.

Endorsed: Burton N. Harrison to President Davis concerning the President's Papers, more especially the Letters from General Lee &c &c. New York: 24 May, 1877.

Fitzhugh Lee to Jefferson Davis.

(From Confederate Memorial Hall.)

Richland, Stafford Co. Va.
June 4, 1877.

My dear Mr. Davis—

I send you a letter from Gen. Early to whom I referred your letter about relative rank of army officers resigning in 1861—as he had probably more data to guide him than in my possession.

His idea upon the subject accords fully with mine.

Of course you have read what Gen. Joseph Johnston says upon the subject in his "Narrative of Military Operations" Page 71 &c.

The memoir of Gen. Cooper will appear I learn in the May number of "Society Papers."[1]

I am very truly your friend,

Hon. Jefferson Davis
Miss. City,
Mississippi.

FITZHUGH LEE.

endorsed: Fitz Lee and Early about army rank; June 4, 1877.

J. A. Early to Fitzhugh Lee.

Lynchburg, May 14th, 1877.

My Dear General,

I reply to yours enclosing Mr. Davis' letter about relative rank of officers who resigned from U. S. Army in 1861. I must say that my opinion is that General Twiggs was really the senior officer who resigned from the Army, or rather who left the Army, for I believe he was dropped for disloyalty. He was I believe a full Brigadier General, and I think had been in the army longer than any one else. According to General Johnston's theory, he (Twiggs) ought to have been commander-in-chief.

Fauntleroy I think ranked General Lee and perhaps A. S. Johnston, as he certainly did General Beauregard. Van Dorn and a number of others also ranked Beauregard in the old army. My understanding is that the Quarter-Master-General had no rank in the line, and could only claim his rank in Courts Martial. Whether the Adjutant General had any rank in the line that would enable him to command officers of the line I am

[1] See Southern Historical Society Papers, vol. III, pp. 269-274.

not able to say. My view of the act of Congress (C. S.) is that officers could only claim their rank in their respective departments. For instance, if General Johnston had been made a Quarter-Master, he could have claimed the benefit of his former rank in that department, and should have been chief. When he went into the line, he could not claim the benefit of his rank as Quarter Master General. The principle contended for by General Johnston might have made a surgeon commander-in-chief of the army. It is very apparent to me that the intention of the act of Congress was to preserve the relative rank of the old officers in their several departments, and any other construction might have led to absurd consequences.

I dont think any good could result from a discussion of this question, and it was very absurd in General Johnston to make the complaint he did. He had the full command of a general, and was never under the command of any one except the President, until he was nominally under the command of General Lee when he was made Commander-in-chief of all the armies, under an act of Congress which was not subject to the provisions of the act under which Genl. J. claimed his rank.

What did it matter to him that General Cooper's nominal rank was the highest, if the latter was confined to the duties of Adjutant General?

I write in a hurry, and cannot elaborate. I go to New Orleans in the morning and will not be back under a month.

Yours most truly,

Genl. Fitz Lee. J. A. EARLY.

P.S. I shook hands with Longstreet when in New Orleans before; much to my astonishment he left his card for me, and I could but have compassion on him. J. A. E.

C. C. Graham to Jefferson Davis.

(From Confederate Memorial Hall.)

Public Library of Kentucky,
Office of Librarian.
Louisville, Ky. June 10th, 1877.

My Dear Friend and Associate in the Black Hawk war of 1832: I have your beautiful and welcome letter of Mississippi City, May 25th. I say beautiful for so it is pronounced even by radicals, and so published and so spoken of by both parties here. I have four letters from the four great Philosophers of Europe—

Charles Darwin—John Tyndall—Herbert Spencer—and Thomas Henry Huxley, all of which I design having placed in one elegant frame to be preserved in the Museum for future ages. I have also got letters of Dickens, Jackson, Clay and many others separately framed, and I must say that yours is superior to any and all.

You speak in your letter of the wonderful growth of the west. I (word illegible) from Rock Island Black Hawk, the prophet, and Keokuk, the whole royal family on my boat,—The Black Warrior and landed them in '33 at the mouth of the Desmoines river,—and there was not a white man in all the great State of (word illegible). I recollect when there was not a white man in Ohio and but few in Kentucky. I am now near 93 years of age, (two words illegible) my hand shaking. I with an old fashioned sincereity say I am truly your Friend, C. C. Graham, M.D.

endorsed:
Dr. C. C. Graham.

Robert E. Park to Jefferson Davis.
(From Confederate Memorial Hall.)

Ivison, Blakeman, Taylor & Co.,
Robert E. Park, genl. agent.
Macon, Ga., June 18, 1877.

President Jefferson Davis,
Mississippi City, Miss.

Honored Sir:

Your valued favor of 17th May came during my absence from Macon.

Your Memoirs, whenever published, will certainly have a very extensive sale.

The May and June Nos. of the Southern Historical Papers (Combined in one issue,) have made their appearance, and you will find in my *Diary* an account of the effect the announcement of your capture had upon the Confederate Officers confined at Fort Delaware in 1865.

If this brief account could be used in your proposed Memoirs, I would value it as a very distinguished and highly appreciated compliment. Maj. Walthall is a most appropriate person to have charge of your publishing interests.

With profound respect and sincere regard, I am most

Truly Yours,
Robert E. Park.

endorsed:
R. E. Park, about article on effect produced by my capture.

Joseph R. Davis to Jefferson Davis.

(From Confederate Memorial Hall.)

Miss. City, June 20th 1877.

My dear Uncle,

I received your kind letter of the 15th inst. and am glad to hear that you had returned to the seashore. I feared your stay might be so long in Memphis as to endanger your health, and feel much relieved in knowing that you are in our pure and cool atmosphere. I go to New Orleans this evening, for a day or two, or else would make you a visit. I am grateful for your kind interest in my candidacy.[1] I think my prospects fair, and daily improving. Some of my friends will insist on a representative of South Miss. in the state ticket and press my claims on that ground mainly, and success on that point will depend on the character of men who will compose the convention. I have some friends in North Miss. who are working in my interest, and expect aid from Featherstone's and Govan's friends, in breaking down my most formidable opponent.

I have received many encouraging letters from different portions of the State, and one, which I enclose from that gallant old soldier, and your friend, Genl. Brandon.

I hope you left Maggie improving. Mrs. Dorsey, I am glad to learn has entirely recovered. Please present my kind regards. Hoping to see you soon after my return from the city, I am,

Affectionately
your nephew.
Jos. R. Davis.

Mrs. S. A. Dorsey to W. T. Walthall.

(From Mississippi Department of Archives and History.)

Beauvoir, 21st June 1877.

Major Walthall
Dear Sir

Mr Davis returned on Wednesday, but is gone today to attend the wedding of his grand neice in N. O. He will return on Saturday evening & will probably be here quietly for the rest

[1] Candidate for Secretary of State.

of the summer—as Mrs Davis is prevented from attempting to cross the ocean by the advice of her physician in London. I hope you have entirely recovered from your indisposition.

With regards to your daughter I am very sincerely

Your friend

SARAH A. DORSEY.

Mrs. S. A. Dorsey to W. T. Walthall.

(From Confederate Memorial Hall.)

Beauvoir, June 29th 1877.

My dear Major Walthall

Your very kind letter was received. I am greatly indebted for the article on my aunt & have just sent it off to Mrs Holbrook. It is all I could have desired. I suppose you have heard of the affliction which has befallen Mr Davis in the death of his little grand-son [1]—Jeff has gone to Memphis & Mr and Mrs Hayes will return with him so soon as they can get ready to come— The grief of his daughter has affected the President very much. I hope her coming however will comfort both— He has been dictating something yesterday & today—but it is with only a forced interest—

Renewing the expression of my gratitude for your kindness, I am

yours sincerely

SARAH A. DORSEY.

Samuel Cooper Jr. to Jefferson Davis.

(From Confederate Memorial Hall.)

Alexandria, Va. Box 305
July 4th, 1877.

Hon. Jefferson Davis,

My dear Sir,

I received your letter of 29th of June today; and am very much obliged for the kind interest you have taken and the exertion you have made in endeavoring to set on foot a project for the erection of a suitable Monument to the Senior Genl. of

[1] Son of Mr. and Mrs. Addison Hayes.

the C. S. A. The result of your endeavours is only what I long since conjectured, and was fully prepared to believe; as all History teaches the words of your letter "It is the fate of those who give themselves for others to be sacrificed." Nevertheless I feel that you will agree with me in this *that this thing ought to be done* and if the fact is clearly established it only becomes necessary to wait the time when, and to take proper measures to effect the object. I am fully of your opinion "that it is either too late or too early to effect this object," but I trust the latter; and shall use my poor endeavors to push it to a favourable conclusion.

With regard to the exertions that you inform me that you made some years since to raise a fund to provide for my Father and his family, it is impossible for me to tell you Mr. Davis, how I honour you for this; and I am happy to inform you that he never had any personal wants or even fancies which were not fully supplied to the moment that he left us. His taste for elegant literature he delighted in and cultivated to the last; often spoke of yourself to me, and recounted many interesting situations in his intercourse with you before the war, and also in the Confederacy; and always with the greatest affection and admiration for yourself. He seemed to be in perfect charity with the world, and I never heard him except in one or two instances where the thought that certain acts had been *mean,* seem to show a tendency to hate the individual instead of hating the sin. But after all it was only a tendency, and was always curbed and never strongly pronounced. This may seem superfluous to speak of him to *you* who knew his character better than I did, but he often seemed to wish to make a confidant of me, and seeing that it gave him satisfaction I was glad to be made so.

It occured to me that Enmity might still be sufficiently alive to tamper with your correspondence, and although I knew of no reason that might prevent you from replying to a letter from myself, still this fear that my letters had not reached you, added to my ignorance of any reason that should have prevented you from replying to them, made me think it strange you had not written. I am very sorry, I should have known that you would have done what was for the best, at the proper time. My Mother and Sister desire to thank you for the remembrances you send them and to be presented affectionately to yourself and to Mrs. Davis.

Truly Yours,
SAMUEL COOPER.

endorsed: Saml. Cooper; ansd.

Jefferson Davis to W. T. Walthall.
(From Mississippi Department of Archives and History.)

Missi City
12th July 1877.

My dear Maj. Walthall,

I have this evening received yours of the 10th Inst. also the copy of the Times.

The article by Genl. Wilson is a tissue of reckless falsehoods, as well when he states on the authority of others, as when he pretends to recite from his own memory.[1] As you are to be here so soon, it will be better to wait until we can confer about the proper mode of exposure.

The story of the orders to the Shenandoah is purely fictitious. Mrs. Davis had left Richmond weeks before the evacuation, Genl Bragg was not at Abbeville, and there was no council held there, The Cavalry did not accompany me to Washington Ga. nor is there one *fact* in regard to myself in his whole article.

Truly yours
JEFFERSON DAVIS.

O. R. Singleton[2] *to W. T. Walthall.*
(From Confederate Memorial Hall.)

Canton, Miss. July 14th/77.

Maj. W. T. Walthall,
Dear Sir,

Your letter is before me and my answer has been delayed some days; that I might refresh my recollection, as far as possible, as to the events to which you allude.

As to the first point, viz, "the nomination of Genl. Quitman in 1851, and the negociations between him and Mr. Davis, and their friends &c," I can only speak in general terms, not recollecting the details of these negociations.

[1] Published in the Philadelphia Weekly Times of July 7, 1877, dealing with the capture of Jefferson Davis.

[2] Singleton, Otho Robards (1814-1889), a political leader, was born in Jessamine County, Ky., October 14, 1814, graduated from St. Joseph's College, Bardstown, Ky., studied law at the Lexington Law School, and began practising in Canton, Mississippi, in 1838. He was a member of the Mississippi legislature eight years, was a presidential elector on the Pierce and King ticket in 1852; was a member of the national House of Representatives from March 4, 1853 to March 3, 1855, and from March 4, 1857, to January 12, 1861; a member of the Confederate Congress from 1861 to 1865; and again a member of the national House of Representatives from 1875 to 1887. He died in Washington, D. C., January 11, 1889.

I know that at that time Mr. Davis was not what in the ordinary language of the day, was called a "Secessionist."

In all his private conversations and public utterances so far as I heard them, he advised moderation declaring that in his opinion, the time had not come to seek a dissolution of the Union; that he had such faith and confidence in the sense of justice of the American people, that he could but hope and believe, that all the difficulties then impending could be adjusted inside of the Union.

In concluding his speeches however, his uniform declaration was that his first and highest allegiance was due to Mississippi, his adopted State; and that whenever she should determine to seek redress out of the Union, he would be found among the foremost in support of her uplifted standard.

At that time, Mr. Davis was considered as being much behind popular feeling and sentiment, and distrust of his fidelity to his State, and the cause of the South, was entertained in some quarters.

In 1860 about the time the ordinance of secession was passed by the South Carolina convention, and while Miss., Ala. and other Southern States were making active preparations to follow her example; a convention of the Miss. delegation in Congress, Senators and Reps., was asked for by Gov. J. J. Pettus, for consultation as to the course Miss. ought to take in the premises.

The meeting took place in the fall of 1860 at Jackson the capital, the whole delegation being present, with perhaps the exception of one Rep.

The main question for consideration was, "Shall Miss. as soon as her convention can meet, pass an ordinance of Secession, thus placing herself by the side of South Carolina, regardless of the action of other States; or shall she endeavor to hold So. Ca. in check, and delay action herself, until other States can get ready through their conventions to unite with them, and then, on a given day and at an hour, by concert of action, all the States, willing to do so, secede in a body."

Upon the one side it was argued, that South Carolina could not be induced to delay action a single moment beyond the meeting of her Convention, and that our fate should be hers, and to delay action would be to have her crushed by the Federal Government. Whereas by the earliest action possible we might be able to avert this calamity. On the other side it was contended that delay might bring the Federal Government to consider the emergency of the case, and perhaps a compromise could be effected, but if not, then this proposed concert of

action would at least give dignity to the movement, and present an undivided Southern front.

The debate lasted many hours, and Mr. Davis, with perhaps one other gentleman in that conference, opposed immediate and separate State action, declaring himself opposed to secession as long as the hope of a peacible remedy remained. He did not believe we ought to precipitate the issue, as he felt certain, from his knowledge of the people North and South, that once there was a clash of arms, the contest would be one of the most sanguinary the world had ever witnessed.

A majority of the meeting decided that no delay should be interposed to separate State action, Mr. Davis being on the other side, but after the vote was taken and the question decided, Mr. Davis declared he would stand by the action of that conference, and by whatever action the convention representing the sovereignty of the State of Miss. might think proper to take.

After the conference was ended, several of its members were dissatisfied with the course of Mr. Davis, believing that he was entirely opposed to Secession, and was seeking to delay action upon the part of Miss., with the hope that it might be entirely averted.

In some unimportant respects, my memory may be at fault, and possibly some of the inferences drawn may be incorrect, but every material statement made I am sure is true, and if need be, can be easily substantiated by other persons.

Very Respty. Your Obt. Servt.
O. R. Singleton.

endorsed:
(endorsement not of Mr. Davis, but evidently of Maj. Walthall)
Canton, Miss. 14 July 1877. Hon. O. R. Singleton.

John H. Reagan to Jefferson Davis.
(From Confederate Museum.)

Greenbriar White Sulphur Springs,
West Virginia.
July 22nd, 1877.

Hon. Jefferson Davis,
Mississippi City, Miss.

Esteemed Sir:

I have several times seen in the newspaper and heard otherwise that you are engaged in writing a book on the late war between the States. But have heard nothing of what its general character and objects will be. I hope it is true that you are preparing such a book—No one could do so much to place the

Confederate cause on its true grounds, and to vindicate the action of its Government as yourself. And besides this there have been attacks made on and misrepresentations of your action as President which no one could meet with the same fulness of information and authority and acuracy as yourself.

My principal purpose in writing now is to say that if you are preparing a book, and it should fall in the scope of it to review the operations of the different departments of the Confederate government, I have very nearly a ful set of my official reports as Post Master General, which, if you think it necessary, I can send you; but with the request that they be returned to me when you have examined them.

And as I am writing I will mention that I recently heard a conversation between some gentlemen, whose names I need not give you, in which it was assumed that one feature of your book would be to show that Gen. J. E. Johnston was responsible for the failure to march upon and capture Washington City after the battle of Manassas. And it was suggested as an answer to this that in Mr. Alfrend's book, (dont know that I spell the name right) he had put you in the position of having assumed the command or direction of the army there; and that he had taken the book to you in Canada for revision; and that you had revised it and were responsible for what it contains. This may all amount to nothing, but from the character of the gentlemen between whom it occurred, and the interest of one of them in the subject matter, I thought it not amiss to call your attention to it.

I trust you are enjoying good health. I shall probable start home to-morrow, and would come by and see you, but have some business which requires me to go by St. Louis. If your family are with you please present my regards and sincere good wishes for their happiness.

With best wishes for you, health and happiness I am

Very truly your friend

(Signed) JOHN H. REAGAN.

From John H. Reagan.
With Enclosure.

House of Representatives,
Washington, D. C.
April 26th, 1880.

Hon. Jefferson Davis,
Beauvoir, Miss.

Esteemed Sir:

I send you herewith a copy of a letter I have just written to the Editor of the Papers of the Southern Historical Society.

His Circular letter mentioned in it presented the first oppertunity I have had of expressing my feeling on the subject referred to, which may not be without interest to you. The refusal to publish that article has been a mistery to me, and I confess to some relief that this poor oppertunity has enabled me to show my realization of the wrong. With great respect and esteem,

(Signed) JOHN H. REAGAN.

Walter A. Goodman[1] *to Jefferson Davis.*

(From Confederate Memorial Hall.)

Memphis, Tenn. July 30th, 1877.

Hon. Jefferson Davis,
Mississippi City,
My Dear Sir,

We are getting up designs for our Confederate Monument at Elmwood in the hope that we may be able to complete it. One of those submitted proposes to introduce the coats of arms of the Confederate States and of this state in what we think a very appropriate way, but we do not know what was the Confederate coat of arms nor if they had any. Will you please inform us on this point and if there was one, advise where we can find a copy of it. We know of the great seal of the C. S. and have models of it.

This monument has as you may remember been greatly delayed by some unfortunate pecuniary transactions which were made by its original managers. These have been for the most part arranged and we are now for the first time in some years in a condition to present the matter again to the public.

I hope that your health is good. My own is not so this summer. My family fortunately are all well, and my wife desires particularly to be remembered to you.

Yours very truly
W. A. GOODMAN

endorsed: Walter A. Goodman; about coat of arms; ansd. 10th Aug. '77

[1] President of the Mississippi Central R. R. during the War for Southern Independence.

John H. Reagan to Jefferson Davis.

(From Confederate Memorial Hall.)

Palestine, Texas, Aug. 2nd, 1877.

Honorable Jefferson Davis,

Dear Sir:

Enclosed herewith I send you a letter from Governor Porter of Tenn., and a printed slip enclosed to me by him, containing an article written by a General Wilson. You will see his request that I answer that article, which I have done, quite hurriedly. But before I send my answer for publication I enclose it to you and ask your examination and criticisms on the article.

If I am mistaken in any fact or facts please do me the favour to point out the mistake so that I may make the correction before publishing the article. And if there is any thing in it which in your judgment is not in good taste, and should not for other reasons be published now, please give me your judgment freely upon them.

The last paragraph in my article is not in answer to Gen. Wilson's article, and is inserted with some doubt as to its propriety by me. I shall be greatly obliged for your rigid criticism of the article in every particular. If it should turn out that you are satisfied with the article as it is, please mail it to Gov. Porter, and also the printed slip which (he) requests shall be returned with my answer. And remail to me Governor Porter's letter herewith enclosed. If you think the article needs correction and revision, please forward it to me with your criticisms.

From what I have heard, I suppose this slip does not contain the whole of General Wilson's article; and if that is so I shall regret having to answer without the full text of his paper before me.

With my best wishes for your health and happiness, I am,

Very truly, your Friend,

JOHN H. REAGAN.

endorsed:

ansd. 9th Aug. '77.

Jefferson Davis to J. William Jones.

(From Southern Historical Society Papers, Vol. IV, pp. 208-214.)

MISSISSIPPI CITY P. O., 16th August, 1877.

TO THE SECRETARY OF THE SOUTHERN HISTORICAL SOCIETY:

SIR: The article of the Hon. R. M. T. Hunter in regard to the Peace Commission of 1865, published in a Philadelphia paper a few months ago and republished in the Southern Historical Papers of April last, is of such character as seems to me to require that a correction should be sent to your readers, and filed with it in your archives.

Mr. Hunter's position as formerly a member of my Cabinet, afterwards a Confederate Senator, and one of those selected by me as a commissioner to whom the interests and the honor of our country and of its administration might be entrusted, constitute this an exceptional case which seems to call for a departure from the rule to which I have heretofore adhered; that is, to leave all attacks upon myself in connection with the Government of the Confederacy to be answered by time or by other persons.

A further and not less powerful reason for this departure from the rule of silence, is the fact that this article has been republished in the Papers of the Southern Historical Society, which is expected be a repertory of trustworthy data for the use of the future historian who may treat of our cause and the manner in which it was maintained.

The article opens with a statement of the diminished hopes of certain persons at the period indicated, and of the effect produced by the description given by Mr. F. P. Blair to his old associates of the immense resources of the Government of the United States, and of the destructive spirit which further resistance by the Confederacy would arouse. That Mr. Hunter may be a fair exponent of the despondence he describes, and was influenced by the threatenings to which he refers, may be readily conceded; but it does not follow that in these respects he was a fair representative of the prevalent feelings of the country, and, least of all, of its gallant army.

Be this as it may, he proceeds to ascribe to "President Davis and his friends," under the pressure of public opinion, the *beginning* of a feeling that it was expedient to exhibit some pacific inclinations. "The talk about peace" (he states), "became

so earnest and frequent in the capital of the Confederacy, and the indications of a desire for it among many members of the Confederacy became so plain and obvious, that President Davis and his friends began to feel that it was expedient that the Confederate Government should show some desire for peace on fair terms. To show no sense of responsibility for the terrible conflict then waging, and no desire for peace on any terms, would injure the Confederate Government in the eyes of its own people."

Drawing perhaps, as men frequently do, upon his own consciousness as an index of the general feelings he ascribes to the "many" alarm at the talk of conscribing negroes (to the enactment of a law for which it will be remembered Mr. Hunter's opposition was a chief obstacle); and he does injustice to the heroic mothers of the land in representing them as flinching from the prospect of having their boys of sixteen "or under" exposed to the horrors and hardships of military service. He proceeds accordingly, "the President in January, 1865, determined to appoint three commissioners, and proposed a conference between them and others to be appointed by the United States Government, on the subject of peace."

When Mr. Hunter penned these statements he must have known that the inaugural address of President Davis under the Provisional Government, delivered four years prior to the period of which he writes, expressed a strong desire for peace; that a few days after his inauguration he appointed commissioners to go to Washington with full authority to negotiate for a peaceful and equitable settlement between the two governments; that in many, if not in all, of his messages to Congress there was shown the same desire to terminate the war by any settlement that would be fair and honorable to both parties; that, hoping something from the relations of personal friendship formerly existing between President Lincoln and Vice-President Stephens, the latter was sent to seek an interview with Mr. Lincoln, in which, beginning with the subject of suffering prisoners, it was expected that other questions might be reached in the interests of peace. And yet again, Mr. Hunter knew it was the assurance brought by Mr. Blair that a commission sent to discuss the question of establishing amicable relations would be received by the President of the United States that led to the appointment of the commission of which Mr. Hunter was a member, and which he describes as originating in a desire to allay the anxieties of our people, and as being a proposition initiated by the President of the Confederacy for a conference.

It is not correct, as stated by Mr. Hunter, that the commissioners were expected to meet Messrs. Lincoln and Seward at "Old Point." It was expected that they would be passed through the lines and received in Washington.

Mr. Hunter's instructions requested him, *totidem verbis*—"To proceed to Washington city for informal conference" with Mr. Lincoln.

A true-hearted Confederate, it might have been thought reasonably, instead of seeking to put his President in the attitude of renewing efforts for conference after previous rejections without any intervening overtures from the other side indicating a more conciliatory spirit, would the rather have made prominent the fact that it was the assurance of one coming directly from President Lincoln which led to the appointment at that time of the Commission.

With regard to the instructions to the commissioners, Mr. Hunter notices that they were "to treat on the basis of two countries," thus precluding any idea of "reunion," a provision which, he says, gave rise to difficulties; and he adds: "It was rumored that Mr. Benjamin, Secretary of State, foreseeing this, had endeavored in vain to have it stricken out." If Mr. Hunter then believed all that he now asserts, why did he not frankly state his views to the President and decline to serve on the Commission? If he wished to go for the purpose of promoting "reunion"—that is to say, to surrender the Confederacy—he knew, or might easily have learned, that his views were too little in accord with those of the President for his employment in the confidential service to which he was commissioned.

The letter of Mr. Benjamin, hereunto subjoined, with the copies of his original draft of instructions to the commissioners and the modification made by the President, gives a correct statement of the case and of the reasons for which that modification was made. It shows that there was no effort made by Mr. Benjamin to have any thing "stricken out," and that there was no difference whatever between him and the President in any except a minor question of expediency, and that even this difference disappeared on conference and comparison of views. Nay, if Mr. Hunter has been correctly reported, he himself was at that time of one mind with the President and Secretary of State in regard to this point. In a speech of stirring and patriotic tone, delivered by him in Richmond after his return from Old Point, he is represented (the quotations are from the report given in the "Annual Cyclopaedia for 1865") as saying, among other expressions of fiery indignation: "And now, after

three years of waste and destruction, we have been lately informed by the President of the United States that there can be no peace except upon the conditions of laying down our arms and absolute submission; to come in as rebels, &c., &c."

And again, "If anything more was wanting to stir the blood, it was furnished when we were told that the United States would not consent to entertain any proposition coming from us *as a people;* that Government which makes treaties with the meanest and weakest of nations tells us, a nation of seven millions of men, with arms in their hands, that it cannot entertain any proposition coming from rebels. Even upon the theory that we were rebels, upon what authority could they refuse to treat with us? There has been no civil war of any magnitude which has not been terminated by treating. It would seem possible that Lincoln might have offered something to a people with two hundred thousand soldiers—and such soldiers—under arms."

The truth is that the phraseology of the instructions to the commissioners constituted no embarrassment to them at all. Vice-President Stephens, who was at the head of the Commission, in his "War between the States," (Vol. II, p. 577), referring to the charge that their hands were so tied with instructions that nothing could be accomplished, with other rumors of the same sort, says they are "utterly unworthy of notice." Yet this is the charge in substance which Mr. Hunter has revived. In his minute account of the origin, progress, and termination of the conference, Mr. Stephens nowhere makes any reference to the letter of the instructions at all, and it is evident from his account of the conversation with Messrs. Lincoln and Seward that there was no "difficulty" whatever on this score; and finally, how did it happen that the report of the commissioners to the President of the Confederacy contained no reference to embarrassment caused by the terms of their instructions?

With palpable inconsistency, it will be observed, that Mr. Hunter first presents the terms of the instructions as the impediment to negotiation, and then shows that Mr. Lincoln refused to treat with us on any terms, or accept any thing less from the Confederate States than a surrender at discretion.

What, then, could a different form of credentials have availed in the matter of negotiation; and why, if it would have availed, was the fact not communicated to the Executive at that time?

Yours respectfully,

JEFFERSON DAVIS.

TEMPLE, 17 May 1877.

Hon. JEFFERSON DAVIS:

MY DEAR FRIEND: Your letter of the 29th March arrived whilst I was temporarily absent from London, and pressure of engagements interfered with my search for old papers necessary to enable me to answer with any confidence in the accuracy of my statements.

I enclose you herewith a copy—

1st. Of original draft of instructions as prepared by me;

2d. Of instructions as sent after modification by you;

3d. Of the report of the commissioners (I have the *original* in my possession).

I think you will see, by comparing my draft and your amendment, the cause of Mr. Hunter's statement, which is partially but not entirely accurate.

The instructions were, if my memory does not betray me, discussed in the presence of one or more of the commissioners; but, however that may be, my idea was to make them as vague and general as possible, so as to get at the views and sentiments of Mr. Lincoln and to test the reality of the peace intentions represented by Mr. Blair to actuate him. You feared that, under the purposely vague language which I had proposed, it might be represented that you had impliedly assented to the import of the last sentence of Mr. Lincoln's letter—"peace to the people of our one common country"—and were unwilling to subject yourself to such misconstruction, as involving an apparent betrayal of the trust reposed in you as the President of the Confederate States. I could not but yield to an objection based on such a motive, and to this extent, and no more, Mr. Hunter's statement is correct; but if the idea conveyed by his whole statement (which, unfortunately, you did not send me) is that I in any way dissented from or disapproved of a refusal to confer on the basis of our being "one country," the rumor is entirely unfounded. You thought, from regard to your personal honor, that your language ought to be such as to render impossible any malignant comment on your action. I did not anticipate the possibility of such a perversion of your motives, and was anxious to keep out of view any topic that might defeat the object of the proposed conference, but *not* at the risk of any assault on your character or honor. As soon as the possibility of such a result was pointed out by you, I at once abandoned all dissent from the proposed amendment.

The above is, I believe, a perfectly accurate statement of what

occurred; but human memory is fallible, and after a lapse of twelve years of a very busy life it is just possible that I may have *omitted*, but I certainly have not misstated any thing.

Yours, ever faithfully,
(Signed) J. P. BENJAMIN.

(Copy.) WASHINGTON, January 13, 1865.

F. P. BLAIR, Esq.:

SIR: You have shown me Mr. Davis' letter to you of the 12th instant, you may say to him that I have constantly been, am now, and shall continue ready to receive any agent whom he or any other influential person now resisting the national authority may send to me with the view of securing peace to the people of our one common country.

Yours, &c.,
(Signed) A. LINCOLN.

RICHMOND, January 28th, 1865.

Hon. R. M. T. HUNTER:

SIR: In compliance with the letter of Mr. Lincoln, of which the foregoing is a copy, you are hereby requested to proceed to Washington city for conference with him upon the subject to which it relates.

With great respect, your obedient servant,

(The above draft of letter to Mr. Hunter was amended by the President, and the letter as amended and signed by him was as follows:)

In conformity with the letter of Mr. Lincoln, of which the foregoing is a copy, you are requested to proceed to Washington city for informal conference with him upon the issues involved in the existing war, and for the purpose of securing peace to the two countries. Your obedient servant,

(Signed) JEFFERSON DAVIS.

(Southern Historical Society Papers, Vol. IV, pp. 303-318.)

TO REV. J. WILLIAM JONES, D. D.,
Secretary Southern Historical Society:

DEAR SIR: In your last issue I observe a letter from the Hon. Jefferson Davis, from which it appears that he takes offence

at my letter to the Philadelphia *Times*, giving an account of the conference at Hampton Roads between Messrs. Lincoln and Seward and the Confederate Commissioners. No offence was intended and no good cause of offence was given by that account when fairly construed, in my opinion. The chief point of offence seems to have been that I said, "Even President Davis and his friends began to feel that it was expedient that the Confederate Government should show some desire for peace upon fair terms." Whether it was offensive because it imputed their sudden wish to the effect of Mr. Blair's mission, or because it implied that it had not always existed, I cannot clearly discover from the letter. Surely it was no disgrace to any man to think a little more seriously of peace after Mr. Blair's representations of the dangers of a further continuance of the war than before. I was told by a senator who had conversed with Mr. Blair, (I never conversed with him upon this subject,) that he affirmed our chances for success in the war to be utterly hopeless, as he said that the Federals would man their armies from abroad and pay them with our confiscated property. Was there nothing in all this to make a Confederate a little more thoughtful of the future? An entire brigade composed almost wholly of foreigners had been slaughtered on Marye's Hill at the battle of Fredericksburg; and it was well known that acts of confiscation had actually passed the Federal Congress. Under the circumstances in which we were then placed, could it be imputed as an offence in any one at the head of our Government that he thought the necessity for peace a little more urgent than he had ever done before? He seems, too, to have taken umbrage at my describing this desire of peace as new. He says: "When Mr. Hunter penned these statements he must have known that the inaugural address of President Davis under the Provisional Government, delivered four years prior to the period of which he wrote, expressed a strong desire for peace; that a few days after his inauguration he appointed commissioners to go to Washington with full authority to negotiate for a peaceful and equitable settlement between the two governments; that in many, if not in all of his messages to Congress, there was shown the same desire to terminate the war by any settlement that would be fair and honorable to both parties; that hoping something from the relation of personal friendship formerly existing between President Lincoln and Vice-President Stephens, the latter was sent to seek an interview with Mr. Lincoln, in which, beginning with the subject of suffering prisoners, it was expected that other questions might be reached in the interests of peace."

Upon declamations of vague generalities in inaugural addresses and messages to Congress I set little account. But did President Davis ever intimate the terms upon which he would accept peace? Did he ever originate any negotiation or make any overture for peace upon any terms on which it could probably be obtained. I never doubted but that he would accept peace if our independence were acknowledged. But did he ever offer peace on any conditions short of this? At the beginning I believe he did offer to make peace if our independence were acknowledged and the public property fairly divided. This was fair enough, it is true; but did any one, even President Davis, suppose that such terms would be accepted at that time? As to Vice-President Stephens' mission being an offer for settlement and peace on fair terms, I can only say he did not think so. In the 2nd vol. of his History of the War, p. 506, speaking of this mission, he says, "as undertaken," "it was not the one proposed by me, nor was it as undertaken in any sense an attempt to offer terms of negotiation for peace."

It seems he also objected to my stating that the insertion in our instructions that "we should treat on the basis of two countries," (an order which it was rumored that Mr. Benjamin had in vain endeavored to have stricken out,) gave great offence, and a correspondence with that gentleman is introduced to show that he did not ask to have these words stricken out, but had only failed to introduce them in a draft of instructions drawn by himself, and that he agreed to "your insertion of them as a means of protecting your character and honor."

I did not assert this as a fact in regard to Mr. Benjamin, but merely related it as a "rumor," which, if true, proved a difference of opinion between that gentleman and Mr. Davis on that subject.

I did not deal with those words critically. I did not pronounce them as right or wrong, but treated them historically, and said they made difficulties in securing an interview. Mr. Davis denies that they did so; but I doubt not but that my colleagues, Messrs. Stephens and Campbell, will confirm my statements.

Mr. Davis asserts that we were instructed to confer at Washington. Whether he means that we had no right to confer anywhere else I know not. If he considered the place as a matter of importance he should have been more specific, and doubtless he would have been obeyed. But we all supposed that the main object of the commission was the *conference*, and that the place was a matter of little or no importance. Taking the instructions

and the circumstances under which they were issued together, no one, I think, would have concluded differently.

None, I think, would have inferred from that conversation that the place was a matter of importance, as the main design of the conference was not to treat of peace, but to ascertain the disposition of the enemy. I thought any limitation of the range of discussion was unwise and inexpedient, but I did not say so in the communication which seems to have given offence. Thus it seems to have been viewed by the other party as an improper limitation on the field of discussion, although I did not anticipate the objection I confess; I suppose from Mr. Benjamin's correspondence that he did also. I considered the objection when made as idle and frivolous. In a matter concerning so deeply the happiness and welfare of a great people, I regarded such small points as absurd and frivolous.

At the time when this debate occurred I considered the introduction unfortunate, but if intended as a restriction upon making a treaty of peace on the condition of reunion I should have considered them as right at that time. I knew when we started on that mission that the Confederacy was very low in point of resources; but the extent of our destitution I did not understand, until on our way to City Point Judge Campbell gave me the substance of his recent letter to Mr. Breckenridge on that subject, stating our utter destitution. I never supposed that we were authorized to treat for peace when sent on that mission; and if we had been, none of the Confederate commissioners, in my opinion, would at that time have accepted peace on the condition of reunion. I certainly would not, nor if it had been offered on such conditions would it have been accepted then either by the President or the Confederate senate. Such at least was and is my opinion.

During our absence on this trip, Fort Fisher, the last of our forts, where blockade runners with their supplies could be received, was taken by the enemy. To the world without we were hermetically sealed by the blockade; and within the Confederacy, the letter of Judge Campbell, assistant secretary of war, represented our supplies of clothes, food, and arms as nearly, if not entirely exhausted.

But at Old Point Mr. Lincoln had declared he would not treat with us with arms in our hands; a cruel and unwise declaration, for what is that but a demand for a surrender at discretion. How can a belligerent lay down his arms before treating without submitting himself to the mercy of his adversary? Under the influence of this feeling, in which we nearly all concurred,

I did declare in a speech at the African church, that my feelings were outraged by such a declaration, and urged a continued resistance sooner than submit to such terms, or if we should be forced to yield, to make that submission as dear to the enemy as possible. But a considerate friend of mine who heard me told me that he had never listened to me with so little pleasure, and thought me wrong all the while. "Knowing as I did," he said, "that our means of resistance were nearly all gone, and that our defeat was inevitable, I ought not to have endeavored to inflame the minds of the people and make any possible accommodation short of absolute submission impossible." I defended myself at the time, but have often thought since that under the circumstances I ought not to have made the speech. I did not utterly neglect my duty to the people, but endeavored to soften their fall as much as possible.

Shortly after my return to Richmond, in an interview I had with the President in his own house, not at my instance, but at his invitation, I urged that if he thought as I did, that all chance of our success was gone and further resistance hopeless, it became him to consider whether some accommodation with the enemy might not be obtained which would be better than the terms that would be allowed us after a surrender at discretion. I urged it upon him that he owed it to his own reputation and character as well as to a gallant people to leave some evidence of his having endeavored to mitigate their sufferings and secure them some relief when further resistance had become hopeless.

I told him, further, that I knew the difficulties in the way of his making the first propositions for treating to the Senate; that many would treat it as a confession of despair, and this might only impel the enemy to greater exertions; but that I thought I could promise that the Senate would pass resolutions requesting him to negotiate for peace and ascertain the terms that could be had, if he would allow me to assure them that he could carry them out and do his utmost to settle the matter on the best terms possible. I assured him that I thought there would be no difficulty in obtaining these resolutions, by which the Senate would have assumed the responsibility and take it from his shoulders. I said that, if necessary, I would introduce the resolutions myself, and we could draw them together.

There was a senator of high character and of many noble qualities sick at a neighboring house. He had so much influence in the Confederacy that, if he had been for peace, the movement would have been irresistible in the Congress if backed by the Government. Upon the proposition of one of us—I forget which

—we went to see him and discussed the matter. Unfortunately as I thought then, and still think, he did not concur with me. When questioned during these interviews of my own opinion as to the chances of peace, I replied that I could not say, whilst remembering Mr. Lincoln's declaration that he would not treat whilst we retained arms in our hands, but said that the interests for peace were so great that I doubted if he would be allowed to retain that extreme ground; but at any rate, if we made just efforts for peace and failed through the cruelty or vengeance of our enemy, the fact of our having made the attempt would relieve our Government, and particularly the President, from much responsibility that would otherwise attach to us. (Mr. Lincoln came to Richmond just before his death, and spoke of propositions of peace in a conversation with Judge Campbell, which indicated that we might, perhaps, have maintained our autonomy in the states, which would have been vastly better than what did occur after the surrender.) After we separated I scarcely expected to hear more from this conversation; but soon, perhaps the next day after, I heard it was bruited all over Richmond that I had been thoroughly conquered, had submitted, and was disposed to make peace on any terms, with many other disparaging remarks. Amongst others, the President's aids were said to be freely discussing these matters. How did they get hold of them? It is true there was no positive pledge of secresy in these conversations, but, from their nature and the circumstances discussed, their confidential character was to have been implied, and ought to have been respected.

The main reasons which led me to think that the President ought to move in this matter were found in the condition of our resources, which could not be revealed to the world without doing much mischief. Indeed, it was impossible to do it: so that I was taken at a great disadvantage. How the character of the conversation got out I never did know, but always had my suspicions.

It was not very long after this before General Lee came to my room one night to talk upon this subject of peace. It was the last time I ever saw him, and our conversation ran nearly through the night. He said if I thought there was a chance for any peace which would secure better terms than were likely to be given after a surrender at discretion, he thought it my duty to make the effort. I related to him my former effort and its result. I told him it would do no sort of good, for any effort I might make would be misrepresented and laid before the public as soon as it was made, with a view to injure my influence, in

which it would probably be successful. I told him I would engage in no confidential work with Mr. Davis unless the former affair were satisfactorily explained. For, although I did not know that Mr. Davis had revealed the former conversation, yet the circumstances under which it was reported and the use made of it were suspicious. He again repeated his remark that, in his opinion, it was my duty to offer such resolutions in the Senate. He said if he were to recommend peace negotiations publicly it would be almost equivalent to surrender. I told him I was aware of this, but, if he thought the chance for success desperate, I thought he ought to say so to the President. To this he made no reply. In the whole of this conversation he never said to me he thought the chances were over; but the tone and tenor of his remarks made that impression on my mind. He spoke of a recent affair in which the Confederates had repelled very gallantly an attempt of the Federals to break his line. The next day, as he rode along the lines, one of the soldiers would thrust forth his bare foot and say, "General, I have no shoes." Another would declare, as he passed, "I am hungry; I haven't enough to eat." These and other circumstances betraying the utmost destitution he repeated with a melancholy air and tone which I shall never forget.

Gen. Breckenridge came to me not long after this and repeated Lee's advice in so nearly the same words that I begun almost to suspect them of concert of action. I related to him the first transaction, as I had done to General Lee, and told him I saw no hope for peace unless the President would pledge himself to co-operate, which I hardly thought he would do. In this I may have been guilty of forgetting some high-sounding asseverations for peace in his first inaugural after the establishment of the Provisional Government, but I hardly think that my recent experience with him would have justified me in considering him as a firm and long-proclaimed advocate for peace.

But how came it that we were in the terrible state of destitution described by Judge Campbell in his letter to General Breckenridge, dated March 5th, 1865. "At present," he says, "these embarrassments have become so much accumulated that the late Commissary-General pronounces the problem of the subsistence of the army of Northern Virginia, in its present position, unsolvable; and the present Commissary-General requires the fulfilment of conditions, though not unreasonable, nearly impossible. The remarks upon the subject of subsistence are applicable to the forage, fuel and clothing requisite for the army service, and in regard to the supply of animals for cavalry

and artillery. The transportation by railroad south of this city (Richmond) is now limited to the Danville road. The present capacity of that road is insufficient to bring supplies adequate to the support of the army of Northern Virginia, and the continuance of that road at even its existing condition cannot be relied on. It can render no assistance in facilitating the movement of troops. . . . The Chief of Ordnance reports that he has a supply of 25,000 arms, He has been dependent on a foreign market for one-half of the arms used. This source is nearly cut off.'' It was quite cut off a few days after by the fall of Fort Fisher, the only port through which we could introduce supplies from abroad.

How came the country to be so bare of the supplies necessary for the efficient prosecution of the war. When we seceded the country had gathered in a large crop of cotton—between four and five millions of bales. That amount of cotton, in my opinion, would have exchanged for food, clothing, arms, medical stores, and all the necessary supplies in abundance for the war—enough, probably, to have enabled General Lee, with the troops which he handled with such consummate ability, to have conquered a peace upon fair terms. But those who believed ''that cotton was king'' had an extravagant notion of its value and a queer theory as to its use. They believed that the Government ought to acquire it, and sell it to supply its wants. An impracticable view, in my opinion. Government makes a poor trader, in peace or in war, and could not have commanded the means to utilize such a crop. But the people and the Government were in favor of prohibiting private individuals from using the article by selling it where it would bring the most, and exercised a strict surveillance over the subject. On the contrary, the only mode of effecting the exchange spoken of above was through private individuals, and if this had been allowed and encouraged early in the war, as ought to have been done, that exchange might have been made—if not wholly, to a great extent—and the horrors of the war much abated.

Whilst this state of things continued, those abroad who had accumulated cotton profited by the blockade, and had no interest to raise it. The time when the wants of the cotton market would make both Yankees and English count upon raising the blockade never came, and the cotton remained on hand, for the most part with but little benefit to any one—reminding me of an old woman I once heard of, who, coming into possession of some money unexpectedly by the death of a relation, was applied to by a nephew for the loan of it. No, indeed, she said;

she would lock it in her trunk and live upon the interest. Upon a par with this was the Confederate policy as to cotton, which, I believe, might have saved the cause if it had been properly used. But early in the war the Government would not have allowed its use, as I would have proposed, if privileged to decide upon the matter, while the Government was very far from acting on any such policy; for Mr. Ruffin, who had much to do with the Commissary Department, assures me that after all access to foreign markets had been closed, and the only avenue of approach for supplies to the Confederacy was through Federal territory, the Commissary Department was prevented by the Government from exchanging cotton with the Federals for commissary stores. The fear of hostile criticism at home on the part of our Government was intense, I believe; but, that it could prevent the necessary action in such a case as this surprised me very much, I confess. If I did not know it before, I was destined to learn how necessary it was to have a great man at the head of a government, to serve a people in spite of themselves. The capacity to brave public opinion in the discharge of duty is rare, I know. I have no right to blame any man for wanting it, nor do I; for all men are as God and themselves have made them, and for that they are in no manner responsible to me. But when Mr. Davis knew the state of destitution into which we had fallen, if he had possessed this abiding love of peace since the adoption of the permanent government, is it not strange that he would do nothing to secure it by accommodation, except what was done in the abortive effort at Old Point? Did I give any just cause of offence in pressing on him a different view of his duties? And yet I seem to have done it, judging by his conduct towards me since.

General Wigfall, that erratic child of genius and misfortune, used sometimes to say that he almost thought at times that Mr. Barnwell and myself would be nearly as responsible for the failure which was coming on the country through the maladministration of Mr. Davis as he himself, for we sustained him in all that he did. It was true that we supported him to the best of our ability, for, placed at the head of the Government, we believed that it was of vital importance to uphold him. It seems from his conduct towards me since my return from the conference at Old Point that he has felt no obligation for my course. "Drawing (says he) perhaps, as men frequently do, upon his own consciousness, he does injustice to the heroic mothers of the land in representing them as flinching from the prospect of having their boys of sixteen or under exposed to

the horrors and hardship of military service." I confess to feeling reluctance to seeing such boys exposed to the hardships and sufferings of war, and Mr. Davis much mistakes a mother's heart if he supposes she could behold her boy of sixteen or under exposed to the hardships of war under such circumstances with indifference. Had the policy been long pursued of sending these boys to the war without clothes to cover them, without sufficient food to sustain them, without even the arms necessary to make their puny strength as efficient as it might be, and altogether in a condition in which they could neither injure their enemies nor help their friends, but must inevitably have been consigned to useless and unnecessary death, he would have heard from those mothers in a style very different from what he seems to suppose. When these involuntary Curtii had been devoted to the infernal gods and the massacre of the innocents had been accomplished, the parents of those children would not have characterized his policy as either valiant or patriotic, but would have spoken of it in terms very far from complimentary. It would have been said that, if the country required the sacrifice of a military victim, the President himself, by age and station, would have played the part of Curtius far better and should have himself become the victim, and yet in no history of his flight from Richmond to the woods in Georgia where he was captured have I seen it stated that his head was once turned towards the enemy with that purpose. Nor do I blame him. Voluntary self-sacrifice is neither called for nor proper in any case. It would then have been nearly as insensate as the wanton sacrifice of the children under circumstances when they could do no service, but must have perished either from starvation or in battle. The character for valor which is won by exposing others to unprofitable and unnecessary suffering with insensibility and indifference is not worth much, and yet how often is it sought in that very way. "The destruction of the youth of a country," said a celebrated writer and statesman of antiquity, "is like robbing the year of its spring." Rob the year of its spring, and we may no more expect either seed-time or harvest; but the country must become utterly waste and desolate, a fit subject for such melancholy speculation as travellers some times make over a land wasted and depopulated by the ravages of war. But I will pursue this subject no further.

There is yet another fling made at me which I ought, perhaps, to notice. He says that my opposition to the conscribing of negroes was a chief obstacle to the passage of a bill for it. That my opposition to this bill was some obstacle to its passage I had

supposed, but that it was the chief obstacle, I had not imagined. I say this not to avoid the responsibility of opposition to that ill-starred measure. I wish I could have defeated it altogether, for I regard its approach to a passage as a stain upon Confederate history. It afforded, I believe, plausible ground against them for the accusation of falsehood in professing to secede from the United States Government, in part, and mainly on the plea that it was, by reason of their fear that the party in power would emancipate the negroes in defiance of the constitution and in violation of their pledge, which, as we believed, was implied in their adoption of that instrument, by which they bound themselves to protect the institution. And now it would be said we had done the very thing which we professed to fear from them, and without any more constitutional right than they would have had, if they had done the same thing. I never believed that our cause had the least chance of success under the Government which proposed the absurd and mischievous law which so nearly passed the Senate. It was viewed, I think, by nearly all considerate people as a confession of despair by the Government, and I think they no longer had the least confidence in it. The effect of its passage, I believed, would be to drive the negro from us into the embraces of the Federals, from a place where he was doing us much good as a laborer, to another in which he would render the enemy some service as a soldier. Had that bill remained long on the statute book we should have had, I think, the same dispute as to negro suffrage which we have lately witnessed, with this difference; the actual dispute was between the conqueror and the conquered, in that which probably would have been produced the character would have been intercenine, and as between neighbors and friends far more violent and bitter than between enemies; but it was an impracticable measure, and incapable of execution from the beginning. Judge Campbell, in the same letter to General Breckenridge from which I have been quoting, says: "I do not regard the slave population as a source from which an addition to the army can be successfully derived. If the use of slaves had been resorted to in the beginning of the war for service in the engineer corps, and as teamsters and laborers, it might have been judicious. Their employment since 1862 has been difficult, and latterly almost impracticable. The attempt to collect 20,000 has been obstructed and nearly abortive. The enemy have raised almost as many from the fugitives occasioned by the draft as ourselves from its execution. General Holmes reports 1,500 fugitives in one week from North Caro-

lina. Colonel Blount reported a desertion of 1,210 last summer in Mobile; and Governor Clarke of Mississippi entreats the suspension of a call for them in that state. As a practicable measure I cannot see how a slave force can be collected, armed, and equipped at the present time." I find in an abstract of some remarks I made on this bill in March, 1865, reported in the *Examiner*, that I said: "The commandment of conscripts, with authority to impress twenty thousand slaves between last September and the present time, (March 7, 1865,) had been able to get but 4,000, and of these 3,500 had been obtained from Virginia and North Carolina, and five hundred from Alabama."

To the passage of such a bill as this Mr. Davis says "my opposition was a chief obstacle." That I did oppose it I neither deny nor repent. Indeed, I have been in the habit of considering the introduction of this bill in the Senate as a virtual termination of the war, though, doubtless, not so designed. But from that period I think the Government lost the confidence of the country, and all hope of success was over; for we then virtually adopted the policy which we professed to fear from our adversaries, and discredited our country for sincerity and truthful dealing. But it was introduced without much previous notice, and I hold the Government, not the country, responsible for its adoption. As a military measure it fell still-born from the Government, and did not last long enough to produce the full measure of its probable mischiefs.

"A true-hearted Confederate," says Mr. Davis, "it might have been thought reasonably, instead of seeking to put the President in the attitude of renewing efforts for conference after previous rejections, without any intervening overtures from the other indicating a more conciliatory spirit, would rather have made prominent the fact that it was the assurance of one coming directly from President Lincoln which led to the appointment at that time of the Commission."

If I ever knew of that assurance through Mr. Blair I had forgotten it when I wrote the article for the Philadelphia *Times*, and it seems I was not so far wrong when I said Mr. Davis' desire for peace, great as it was, began about the time of Mr. Blair's visit to Richmond. I was not so far wrong, because Mr. Davis himself says that the mission was sent because of a message from Mr. Lincoln through Mr. Blair, and he thinks no true-hearted Confederate would have represented the mission as proceeding from any other cause until the demands of etiquette had been complied with as in this case. Such, at least, I understand to be his ground of offence. Now, I leave it to any im-

partial person to say if I did not suppose a far more creditable cause of action when I referred to the terrible condition of the country as creating in his mind a desire for peace than he did for himself in assigning this "red-tape" reason for his action? Would he have regarded more this question of etiquette than the suffering of a great and gallant people who had trusted him to lead them? In other words, would he have beheld that sad condition with insensibility and indifference and refused to treat even for relief until the demands of his dignity had been satisfied? What could have been more sacred than his duty when that people had nearly reached the point where they could no longer resist than to obtain for them some relief by treaty, if possible, from the ruin and penalties likely to befall them if forced to surrender at discretion? With my conception of a President's duty in such a case, I place him in far better position than he puts himself in regard to this conference.

In Mr. Davis' opinion, as a "true-hearted Confederate," I ought to have preferred to think that he sent the mission because of Mr. Lincoln's message rather than from a consideration of the sufferings of the country. In my opinion, I should have been no true-hearted man if I preferred that he should have been influenced by Mr. Lincoln's message more than by a desire to mitigate the miseries by a treaty, if possible, inevitably about to fall on the country unless averted in that manner. On the contrary, I should have considered him wanting in a conception of duty and a true sense of the obligation he owed to a gallant and confiding people who had honored him and placed him in supreme command to defend and protect them.

If Mr. Davis says he had a strong desire for peace from the time of the adoption of the permanent Government I accept the fact upon his statement, and there let it stand. I cannot be pressed into service as a witness to that fact by having it said that I must have known it. I knew of no such thing, nor do I know of any occurrence in Mr. Davis' history which justifies such a belief. If he had made propositions for peace soon after the second battle of Cold Harbor, I think it probable that on the basis of reunion, to which we came at last, we might have saved everything else for which we were contending. But, unfortunately, none of us understood the true nature of the crisis —I no more than the rest. I do not, therefore, blame Mr. Davis for an omission of which I was as likely to have been guilty as he was. Indeed, I do not wish to blame him at all. Nothing is more unseemly in my eyes than disputes between those who have held prominent positions in the Confederacy during the war.

Nothing but the necessity of self-defence would induce me to engage in such a dispute, and the responsibility, in my opinion, rests not upon me, but upon him who made the attack.

Very respectfully,
R. M. T. HUNTER.

NOTE.—Mr. Davis says, in his letter: "The truth is that the phraseology of the instructions constituted no embarrassment to them at all." This he asserts positively, in opposition to my statement to the contrary, about a matter of which he had no personal knowledge. Hear Mr. Stephens and Judge Campbell in corroboration of my statement. These gentlemen and myself were the only Confederates who had any personal knowledge of what happened at the Conference. A comparison of his statement with theirs, I think, will not much help his character for historical accuracy.

HOUSE OF REPRESENTATIVES,
WASHINGTON, D. C., 3d November, 1877.

Hon. ROBERT M. T. HUNTER, Richmond, Va.:

MY DEAR SIR: Your letter of a few days ago was duly received. I think you were entirely correct in saying that the expression of "the two countries" by President Davis in his letter to Mr. Blair did throw difficulties in the way of the reception of the Peace Commissioners *(so-called)* by President Lincoln on the notable occasion to which you refer.

I do not understand you to say in your letter to the Philadelphia *Times* that these words gave rise to any obstacle in the progress of the Conference or the object for which it was sought, except in the reception of the Confederate Commissioners. It was upon this point mainly our delay at City Point hinged.

But upon all these questions and matters my views have been very fully as well as minutely given in "The War Between The States." &c., vol. 2, page 576, *et seq.*, to which I refer you for details.

Yours very truly,
ALEXANDER H. STEPHENS.

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169 ST. PAUL STREET, BALTIMORE,
31st October, 1877.

MY DEAR SIR: Your letter of the 28th instant has been received and I proceed to comply with your request. The Commissioners appointed in 1865 to confer with the President of

the United States concerning peace were furnished with a letter addressed to Mr. Francis P. Blair by President Lincoln, wherein the latter consented to receive persons coming from those in authority in the Southern States who desired to make peace on the basis "of *one common country.*" This letter we were to exhibit at the lines of the Federal armies and told it would serve us as a passport to Washington City.

The letters of appointment for the Commissioners, and I believe the treasure with which our expenses was to be borne were delivered to me by Mr. Washington, of the State Department of the Confederate States, at night, after our interview with the Executive. I noticed to Mr. Washington the letter of appointment did not correspond to the letter of Mr. Lincoln to Mr. Blair, and that it might make difficulty.

I learnt from him there had been a discussion and a difference between Mr. Davis and Mr. Benjamin on the subject, and it had been so settled. We left the morning after, and I gave to Mr. Stephens and to yourself the papers on the way to Petersburg.

There was detention at Petersburg. The Federal officers did not understand our passport, if I may so call it, and had to apply to Washington City. While awaiting instructions, and within two or three days after our departure General Grant allowed us to go to City Point, his headquarters. Within two days or more Colonel Eckert, an officer of the United States, arrived at City Point from Washington City. He had a copy of the letter from President Lincoln to Mr. Blair. With General Grant he came to us and enquired whether we accepted the conditions of the letter he bore, and which we had been advised of and furnished with?

The only answer we could make was to submit our letter of appointment to observation. The discrepancy between obtaining a peace on the basis of "one common country" and a peace "between *two* countries" was pointed out, and we were told we could not proceed. We argued that peace was desirable and desired, and that the information sought was how peace was to be had. I remember our friend Mr. Stephens suggested that neither note was accurate, for that thirty-six countries (States) were involved. General Grant and Colonel Eckert retired and conferred, and were most emphatic in their refusal after this information. We addressed one, and perhaps more letters, to those officers, to change the resolution so that the expedition might not be wholly abortive, but without result.

During the night following General Grant visited the Com-

missioners, and sat with Mr. Stephens and yourself for some time. I was sick and not present.

As a consequence of his intercourse he telegraphed President Lincoln favorably in respect to the Conference, and recommended that he should see the Commissioners. The following day, perhaps, we heard that a conference would take place at Hampton Roads, and perhaps on the day after the Conference took place. The correspondence of the Commissioners, the report of General Grant, and the result of the Conference were communicated to the Congress of the United States by President Lincoln in February, 1865. By a reference to these the dates may be seen. I speak only from memory.

At Hampton Roads Mr. Stephens, with clearness and precision, stated the conditions we had been instructed to place before the President and the dispositions we had in respect to them, and which we had supposed were more or less settled upon.

President Lincoln disclaimed all knowledge of any such proposed connections, denied having given any sort of authority to any one to hold out any expectations of any arrangements of the kind being made, and declared that he would listen to no proposition which did not include an immediate recognition of the National authority in all the States and the abandonment of resistance to it.

I confess that these answers did not surprise me, and that any other would have filled me with amazement.

Very truly, your friend,

JOHN A. CAMPBELL.

Hon. R. M. T. HUNTER, Richmond, Va.

John H. Reagan to Jefferson Davis.

(From Confederate Memorial Hall.)

Palestine, Texas, Aug. 16th, 1877.

Honorable Jefferson Davis,
Miss. City, Miss.,
Esteemed Sir:

I so changed the manuscript of my letter as to meet your criticisms; and return you herewith the manuscript, with the addition I have made to it since reading the ballance of General Wilson's article. I thought before publication I had best submit the whole to your examination, as I feel anxious to be as accurate in this article as possible.

I have tried to examine Gen. Wilson's letter with good temper, but parts of it are so outrageous that I fear disinterested persons may think I have used strong expressions. If you think any material changes are necessary in the enclosed manuscript please note them and return it to me—as to any minor error, if any, please correct; and if not necessary to return please forward the manuscript to Governor Porter. If you do this I would be obliged for any suggestion you may be willing to make to him as to where it should be first published. I hope that at some time it may go into the publications of the Southern Historical Society.

I ought to mention that I have kept no copy of the last 20 pages, and it may be well that the manuscript be kept in friendly hands until published. I am so pressed by other duties that I have not time to copy.

When I can get more leisure I want to call your attention more fully to the facts connected with the message from Gen. Shearman to you about your leaving the country on a United States vessel &c; and more especially about what occurred at Gree(n)sboro in relation to instructions to General Johnson about negociations. If I rightly understand your letter of the 9th instant, there would seem to be a variance in our remembrance of what occurred. And while I know the tenacity and acuracy of your memory, I do not think I can be mistaken, and think I can call your attention to facts which would satisfy you of this. I wish we could talk these matters over without the labour of writing.

I want also to mention that I am not unaware that there will be a seeming conflict between my letter and one published some years ago by our esteemed and good friend Mr. Malory. On page 628 of Alfriend's Life of Jefferson Davis there appears a passage from his letter, saying; "No other course now seemed open to Mr. Davis but to leave the country, and his immediate advisers urged him to do so with the utmost promptitude."

You know how sincere my respect was for Mr. Malory, and may infer how unpleasant it is for me to find myself differing from him even in recollection. But I did not so understand the facts. I remember very well that you were repeatedly urged to go forward and place yourself out of the danger which continually surrounded us, and I joined in this. I must think it was this which caused Mr. Mallory to afterwards think you were advised to leave the country. It may be however that it is in part at least my mistake and not his—you will know how that is. I only know that I did not advise you to leave the

country; and if you were so advised, except to go through Cuba to Brownsville, Texas, I was not aware of it.

When I get leisure to write to you I will also bring to your view some facts about which, as I understand your letter, my recollection does not agree with yours, about matters which occurred at and in the neighborhood of Washington, Georgia.

I only feel an interest in this in case you should write any account of it. Very Truly your friend,

JOHN H. REAGAN

I offer as my excuse for troubling you with these manuscripts that you are personally cognizant of most or all of the facts I state, and so much interested in a correct statement of them that I thought it both prudent and just that you should see what I write before it is published. R.

Endorsed: J. H. Reagan ansd. 21st Aug. '77.

Burton N. Harrison to Jefferson Davis.

(From Confederate Memorial Hall.)

September 1877

Mem: with regard to the publication in the Philadelphia "Weekly Times" July 7, 1877 "Annals of the War. Chapters of unwritten History. The Capture of Jefferson Davis. By Major General James H. Wilson."

It is to be observed:

1st. That, as to what is said of Mr. Davis, Genl. Wilson speaks from hearsay, until he reaches the very end of the Article.

2d. The story is told in a rapid, dramatic and "popular" style, and is full of inaccuracies.

3d. Throughout, there seems to be a purpose to represent Mr. Davis to have been "a weak man in the hour of misfortune" irresolute and undignified; and yet, when Genl. Wilson reaches the end of his Story, and is telling about his personal intercourse with his prisoner, he describes Mr. Davis as self-possessed, dignified, courteous and full of good humor and agreeable conversation!

As a matter of fact, that description of Mr. Davis as he was seen by Genl. Wilson himself, applies to him as he was during all the occurrences to which the narrative refers. The misrepresentations were made to Genl. Wilson by others; and that Officer does his own judgment a wrong in adopting the bitter

and prejudiced opinions which his own observation had shown to be mistakes.

4th. The narrative begins with blunders as to facts e. g.: Mrs. Davis was not in Richmond when that City was evacuated, but was on the train on the Railroad between Danville, Virginia, and Charlotte, North Carolina, on her way to the latter place, so that she had, of course, no part in the hurried preparations Mr. Davis that Sunday made for leaving Richmond. Genl. Breckinridge was with the Army, and did not leave Richmond on the train with Mr. Davis; and the Shenandoah was in the Pacific Ocean; and so was, of course not available or thought of for cruising "off the coast of Florida to take the fugitives on Board", &c, &c, &c.

5th. The description of "the Capture" is inaccurate in many respects, e. g.: Mr. Davis was not accompanied from the tent towards the woods by Mrs. Davis or by Miss Howell. Mrs. Davis herself remained at the tent; a part of the time in conversation with the single mounted man who had been left there as a guard when Col. Pritchard charged, with nearly all his men, past me and across the creek, towards the fighting which was going on between some of his own men and men of the Wisconsin Regiment. Miss Howell remained within the tent she had occupied, near the tent which had been occupied by Mr. and Mrs. Davis. The order to "halt" addressed to Mr. Davis was made by that single mounted guard, when Mr. Davis was already about forty paces from the tent, walking eastward into the woods; that order was not obeyed. Mrs. Davis continued her conversation with the guard, who was, after a few moments, joined by one or perhaps two of his comrades who had just come up the road or had crossed over from our Wagons on the other (the west) side of the road, where some of them had fallen to plundering instead of charging across the creek as ordered by their Commander. The Soldiers at the tent became violent in their language with Mrs. Davis, the order "to halt" was repeated several times in a loud voice, and at least one of the men threatened to fire, as Mr. Davis continued to walk away, and made ready to do so by raising his Carbine and pointing it towards Mr. Davis. At that, Mrs. Davis becoming alarmed, cried out with apprehension, and Mr. Davis turned round and walked rapidly to his wife at the tent. At least one of the Soldiers continued his violent language to Mrs. Davis and Mr. Davis reproached him for his conduct to her, when one of the mounted men, seeing the face of Mr. Davis as he stood near and talking to him said "Mr. Davis, Surrender! I recognize

you, Sir!'' Pictures of Mr. Davis were so common that nearly or quite every man in both armies knew his face.

Genl. Wilson's episode of the ''three men under the direction of Corporal Munger, coming from the opposite direction,'' who ''confronted'' Mr. Davis ''advanced with Carbine and demanded his surrender'' is all pure fiction, there is no basis of fact, whatever for it!

The Waterproof Cloak which Mr. Davis had on, at the time, was one which he had worn when riding. He had used it as a protection against the rain which, during the night and day preceding our last halt, had been falling in torrents; he was probably sleeping in that Waterproof-Cloak at the moment when our Camp was attacked.

6. I have never made or authorized or inspired or in any way knowingly contributed to any publication whatever, ''in a Newspaper Article'' or elsewhere, ''shortly after the Capture'' or at any other time, with regard to the subject or to any incident of it. I have never told the story to more than a dozen people, and I am sure that no one I have ever told it to has published anything with regard to it. I have never ''admitted'' anything about it, there was no ''dressing gown'' there, or in the case, and of course I never said there was. If therefore, Genl. Wilson refers to me when he speak of ''Colonel Harrison'' of Mr. Davis staff, he is altogether in error; I have never said or done anything to serve as a basis of Genl. Wilson's remark.

As a conjecture, merely, as to the person who is, possibly, the one intended to be quoted by Genl. Wilson, I would remind you that there was a person (who had served in Richmond, as a Clerk in the Navy Department, I think,) calling himself Stuart and said to claim descent from the Royal Stuarts, who is in this connection quoted by Horace Greely in a foot-note in his ''History'' as authority for some of Greely's statements about the incidents of Mr. Davis' capture. Stuart seems to have met Mrs. Davis, or Mrs. or Miss Howell, at Savannah or Augusta, Georgia, after Mrs. Davis was taken back there when her husband was imprisoned at Fortress Monroe. Stuart appears to have made himself useful to one or more of those ladies, and perhaps acted as an escort to Mrs. and Miss Howell on their journey to Canada. At any rate, he seems to have passed himself off in New York, ''shortly after'' our capture, as having been a Staff Officer of Mr. Davis, and he is said to have addressed to a New York Newspaper a letter describing the circumstances of the capture. Mr. Greely if I recollect aright, cites the letter entire in a foot-note, in his ''History.''

I was myself a close prisoner, first in Washington and afterwards at Fort Delaware, from the time of our capture until the end of January 1866, and never, during that time, addressed any communication to any Newspaper or to any person whatever concerning any of the circumstances above referred to. It was not until the Autumn of 1865, when I had been for some months a prisoner at Fort Delaware, that I ever held a conversation on these subjects, or any of them, even with Col. Lubbock who was, by that time, the only other member of our party detained in prison. Until that time, I had been in solitary confinement, and I remained in nominal solitary confinement until my release on parole at the end of January 1866, though, during the last few months, I was by the kind indulgence of the Commandant of the Fort, allowed as much freedom as was possible under the circumstances.

I recollect that, long afterwards, Col. Wm. Preston Johnston, who was for several months after our capture, a prisoner at Fort Delaware, told me that, one day, when a party of persons from Philadelphia were visiting the Fort, one of them, by some neglect of the guard, held a few minutes conversation with him, and that he (Col. Johnston) was afterwards surprised to hear or see that that conversation was referred to or (more or less accurately) repeated in a Philadelphia Newspaper, the Visitor having been a Reporter. I do not now recollect what he said the particular subject of the conversation was, but my impression is that he said it was concerning the matters above discussed. It is possible that some version or perversion of that Report in the Philadelphia Newspaper was the basis of Genl. Wilson's statement with regard to a Staff Officer of Mr. Davis, though of course neither Col. Johnston nor either of the other members of our Staff ever made any such "admission" as Genl. Wilson attributes to "Col. Harrison."

With the expectation of that statement made by Stuart and quoted by Mr. Greely, and the Philadelphia report of the conversation with Col. Johnston, I have (so far as I can recollect) never heard of any publication in a Newspaper, or elsewhere, of anything in reference to these matters and attributed to any real or pretended member of our Staff. If not from one of those sources, I do not know whence Genl. Wilson got material for this statement about the "admission."

This commentary upon Genl. Wilson's narrative as published in the Philadelphia "Weekly Times" of July 7, 1877, does not pretend to notice all of the particulars as to which he is in error. It is directed only to the special points enumerated.

I may add that, as all the Gentlemen of our party except Capt. Moody (who had laid down to sleep by my side after kindly stretching a tarpaulin as a roof over me) had slept on the other (the western) side of the road, and among or near the Wagons; and as none of them during the occurrences above mentioned approached Mr. Davis' tent or seemed to be paying attention to what was there going on, I have no doubt that Mrs. Davis and I, and the single mounted guard left there by Col. Pritchard, as that Officer charged thro' the Camp, were the only persons who heard and saw *all* that there and then passed. Anybody else who gives an account of it has had to rely upon hearsay for at least a part of his Story.

The Extract which accompanies this, from my "Narrative written not for publication but for the entertainment of my Children only", gives an account of the incidents preceding and at the time of the Capture so far as I personally participated in them.

BURTON N. HARRISON.

Charles O'Conor to Jefferson Davis.

(From Confederate Memorial Hall.)

New York, Sept. 3rd, 1877.

Hon. Jefferson Davis,

My Dear Sir,

Hon. Bradley T. Johnson, now residing in Richmond, Va., is the author of a law-book in 1 Vol. being reports of cases decided by Chief Justice Chase in the Circuit including Virginia. The first article in it is a somewhat graphic statement of the proceedings had against you. I should not know how to present a more distinct and intelligible exhibit of the matters to which you refer than is to be found between pp. 11 and 18 and pp. 106 and 122.

The first word on the fourth line of p. 108 is a misprint. It should be "Aside." I presume the book is in the hands of almost every lawyer in the South, and is readily accessible altho' it is possible that you may not have seen it. Nothing in my possession could be more useful to you than this. Happy to learn that your own health is improved. I sincerely trust that Mrs. Davis will return to you quite restored. I count upon great satisfaction from the perusal of your reminiscences. Begging you to accept for yourself and to present Mrs. Davis in my behalf the assurance of my undiminished friendship and esteem, I remain,

Your friend,

CH. O'CONOR

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